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FROM BOOTLEGGERS TO AN “OBEY THE LAW” CAMPUS: AN ANALYSIS OF  
THE ALCOHOL POLICIES AT THE UNIVERSITY OF MISSISSIPPI

A Dissertation  
presented in partial fulfillment of requirements  
for the degree of Doctor of Philosophy  
in the Department of Higher Education  
The University of Mississippi

by

SCOTT THOMAS WALLACE

August 2012



## ABSTRACT

College drinking is one of the most prevailing problems on college campuses today. To navigate the issues surrounding college drinking, institutions of higher learning spend countless hours and monetary resources putting together educational pieces, developing governing policies, and implementing stringent sanctioning practices. At the University of Mississippi, a Two-Strike policy was implemented in 2006. The policy is rooted in educational motives and interventional philosophies, but since its implementation the question posed by many is, “Does it work?” Additionally, the University of Mississippi, in an effort to gain clarity and better educate students about the dangers of illegal and abusive drinking, changed its policy on alcohol. The policy, that once was a strict prohibition of alcohol, was amended in April 2007 to allow for the lawful possession and use of alcohol on campus. This dissertation is a mixed-methods study that provides an analysis of the alcohol policies at the University of Mississippi. The study provides the reader with a detailed historical perspective and then uses both quantitative and qualitative methods to provide data for analysis. The intention of the study is to help decision makers at not only the University of Mississippi but also at other institutions of higher learning gain insight regarding the potential triumphs and challenges of implementing and amending similar alcohol policies.

## DEDICATION

It is astonishing to think about the number of people around the globe, and even in our own country, who are unable to read or write. Until one grasps that understanding, it is difficult to fully appreciate the value of and, simply, the pure blessing of an education. To that end, I am blessed beyond belief. This dissertation is dedicated to my late grandparents Glenn and Lois Wallace who with only an eighth- and fourth-grade education respectively continually encouraged me to “get [my] education.” On the subject of education, it was my grandfather who continually told me from the time I was in kindergarten until his death in 2009, to “get as much education as you can. Go as far as you can go. Go all the way!” I’ve often said that when a man dies is the only point in time at which he stops learning and gaining an education, but Granddaddy, in terms of degrees granted by an institution, I’ve about gone as “far as I can go.” Thank you for the encouragement!

## ACKNOWLEDGEMENTS

While doing research for this study, I came across the dedication in *Memorials of Academic Life* written in 1891 by the fourth chancellor of the University of Mississippi, John Waddel. His dedication, so poetically graceful and sweet, fits better than anything I could ever compose. He wrote, “To my wife, who after my long years of alternate trial and relief, was sent to me by a Gracious Providence as a light and joy; and amid the changes of a busy life, a sympathizing friend, a wise counselor, and unselfish, shares in joy and sorrow; an earnest helpmeet in all my work.”

The sacrifice resulting from late nights and long hours spent away from home was a burden shared by both me and my family. The work never could have been completed without the sacrifice of both my wife, April, and our son, Reed Thomas. I love you two very much!

Additionally, my dissertation chair, Dr. Lori Wolff, spent countless hours reading drafts, making suggestions, and guiding me down a path to success. To you, Dr. Wolff, and the rest of my committee--Dr. Kerry B. Melear, Dr. Sparky Reardon, and Dr. Gerald Walton--I am eternally grateful. Of all the scholars around the globe, I could not have had a better committee.

To complete a dissertation, it takes a village of people. There are countless others who should be acknowledged but the space on this page is unavailable. The number of people who so willingly helped by providing information for this study and/or who encouraged me through this difficult process is astounding. I am blessed beyond belief!

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## CHAPTER I

### INTRODUCTION

One of the most tragic events in the history of the University of Mississippi (UM) occurred during the early morning hours of October 21, 2006. While working a routine traffic stop involving a student University Police Department (UPD) K-9 officer, Robert Langley, was killed in the line of duty. That one event is considered by some as the “tipping point” (Sullivan-González & Juergen, 2007) that brought about sweeping changes in policy and practice at the University of Mississippi. The news of Officer Langley’s death left a sick feeling in my stomach and in the stomachs of many around Oxford and north Mississippi. I was a young professional in the Office of the Dean of Students and the death of Officer Langley significantly shaped my professional viewpoint of college drinking.

The days and weeks following Officer Langley’s death were some of the more trying times in the UM’s 158-year history. As details of Officer Langley’s death surfaced, it was rumored the student involved, Daniel Cummings, was not only driving under the influence of alcohol but also may have been in possession of illegal drugs. The rumors, many of which proved to be true, significantly changed the demeanor and attitudes of the UM community, as well as the communities of Oxford and Lafayette County.

During the weeks prior to Officer Langley’s death, tensions were high in Oxford as the once tightly interwoven town-and-gown relationship began to fray. One of the main reasons for the deteriorating relationship were the thoughts and feelings of many that the drinking habits of

UM students were spiraling out of control and the University was doing little, if anything, to quell the behavior. Fueling the sentiment, reports of drunken and rowdy students became the hot news topic, especially surrounding the popular tailgating spot, the Grove (Mills, 2006; Schultz, 2006; Waterman, 2006b; Whitten, 2006a; Whitten, 2006b).

Many thought the Grove was out of hand and essentially a place where drunkenness and crude behavior were not only welcomed, but expected. The sentiment was exacerbated when a UM spokesperson was quoted in Memphis's *The Commercial Appeal* explaining the many instances of drunkenness in the Grove. The spokesperson was quoted as saying, "What started out a pleasant family-style picnic experience has gradually evolved to the point where there is now far too much unacceptable behavior. Last year I witnessed middle-aged men urinating in public" (Doniach, 2006, p. B5).

The UM Rebel football team opened the season against the University of Memphis on Labor Day weekend. ESPN televised the game and scheduled the telecast for Sunday afternoon. Sunday alcohol sales were illegal in Oxford, but City officials voted to allow alcohol sales this particular Sunday because of the scheduled football game (Waterman, 2006b). Many churches objected, citing church services and the extra long weekend created by the holiday. A local minister was quoted by the *Oxford Eagle* as saying, "There hasn't been an August and September so far that I haven't had to bury a college student" (Schultz, 2006). Adding to the fears of many, UM recently had been named by the Princeton Review as a top-five party school (Franek & Meltzer, 2006; Whitten, 2006a).

Throughout the months of September and October, articles were written and letters to the editor were published in newspapers complaining about the Grove and the behavior of UM students. *Oxford Eagle* columnist Don Whitten (2006b) wrote an opinion column citing the

eventual demise of “a good thing.” One UM employee wrote to the editor of the *Oxford Eagle* about the horrible smell and puddles of urine around her office or classroom building on Monday mornings after home football games (Watson, 2006). The thoughts and feelings were solidified by factual evidence as forty people were arrested on campus the last weekend in September when the University of Georgia football team played UM in Oxford (R. Hawkins, personal communication, October 2, 2006). Many were ready for a change, including one person who wrote a letter to the editor of the *Oxford Eagle* entitled “Chancellor Khayat, It’s Time” (Parsons, 2006). The letter, which called for Chancellor Khayat to make executive decisions for a safer environment, ironically, was published less than 90 hours prior to Officer Langley’s death (Parsons, 2006).

Though Officer Langley’s death caused a bitter stir, the anger and frustration of many in the Lafayette County, Oxford and University (LOU) communities cannot be attributed to an anomaly conceived during the course of fall semester 2006 or even one created during the previous summer months. The feelings that student drinking was out of control were created over a period of several years.

The memories of a community usually are not short, especially when they involve tragic events. Within the three and a half years prior to fall semester 2006, two other tragic student deaths occurred within a half mile of campus. Both incidents were vehicular accidents, and both were cited as being directly related to the consumption of alcohol (Newsom, 2004; Smith, 2003; Stewart, 2003; Stewart, 2004a; Stewart 2004b). Many in the LOU communities had not forgotten those tragic deaths. The sadness and frustrations resulting from those two incidents lingered and added to the anger of many.

### *Action and Change*

Officer Langley's tragic death "represented the tipping point toward community action" (Sullivan-González & Juergen, 2007) and prompted UM to respond immediately. One of the first actions by UM was the creation of an alcohol task force chaired by Dr. J. Edward Hill, "an alumnus and immediate past president of the American Medical Association" (R. C. Khayat, email, October 30, 2006). In an electronic mail message to the Alcohol Task Force, Chancellor Robert Khayat spoke of the need to "change a culture that seems to encourage alcohol abuse and violation of alcohol laws" (R. C. Khayat, email, October 30, 2006).

As the Chancellor was forming the Alcohol Task Force, a simultaneous effort was being made to introduce a new policy for alcohol and other drug violations. One of the most publicized, criticized, and applauded changes to UM's policies on alcohol was the implementation of a minimum-sanctions policy, which became commonly known as the Two-Strike policy. In practice, a student who has a second alcohol or other drug offense in a stated time period would be suspended from UM for at least one semester. Amid uproar from the entire LOU communities and resistance from the student population, the Two-Strike policy went into effect November 1, 2006. The overall objective behind implementing a minimum-sanctions policy was to help change the culture of drinking at the University of Mississippi.

Though the Two-Strike policy was first implemented in November 2006, it was initially an interim policy pending further recommendation and approval from the Alcohol Task Force and by Chancellor Khayat. As winter waned into its final days of 2007, the Alcohol Task Force presented numerous recommendations to Chancellor Robert Khayat, including making the Two-Strike policy permanent. Included among those recommendations was a suggestion to change

not only how UM addressed alcohol and other drug violations (Two-Strike Policy) but also a suggestion to amend UM's policy on alcohol.

The idea of making a change to the alcohol policy was one of the suggestions before the Alcohol Task force and one that had been discussed for several months. The campus was, by policy, dry, but enforcement was difficult. Allowing for the lawful possession and consumption of alcohol would not only provide UM an opportunity to discuss responsible behavior, especially as it relates to drinking, but also would provide a much easier avenue for enforcement by allowing police officers to make judgment calls based on poor behavior. As with most changes, there were challenges. Some of the challenges discussed included the following: the policing and observance of local laws; questions about alcohol in fraternity and sorority houses; alcohol in residence halls; the availability of alcohol during on-campus functions such as faculty and staff receptions; and many others. Also, before a significant change in policy could occur, several administrators wanted the state legislature to amend and, ultimately, clarify state law.

Since the establishment of the Local Option Beverage Control Law in 1966, it was generally believed state law prohibited alcohol on all public campuses. Prior to 2007, the statute read:

The Alcoholic Beverage Control Division shall not allow the sale or consumption of alcoholic beverages in or on the campus of any public school or college, and no alcoholic beverage shall be for sale or consumed at any public athletic event at any grammar or high school or any college. (Miss. Code Ann, §67-1-37(g), 2005)

Many college and university administrators in Mississippi interpreted this particular part of the statute to mean a strict prohibition against all beverages containing alcohol. However, others

interpreted the statute differently because of its location in the Code as a prohibition of retail permits on college campuses (L. Tyner, personal communication, March 9, 2011).

Mississippi Code Annotated 1972, §67-1-37 outlines the powers of the Alcoholic Beverage Control (ABC) Commission specifically as it relates to the issuance--or refusal to issue--permits to sell alcoholic beverages. Additionally, alcoholic beverages, as defined in §67, mean beverages containing more than 5% alcohol by weight.

The most likely reason for the alleged misinterpretation of the language used was the usage of the words *sale* and *consumption*. The language of the statute, as interpreted by some, used both words to describe two different types of retail permits. The sale of alcoholic beverages refers to a transaction in a permanent establishment such as a liquor store. According to the statute, a permit for a liquor store on any public campus should be denied by the ABC (Miss Code Ann. §67-1-37, (1972)).

The use of the word *consumption* seems straightforward, but *consumption*, as it is used within this section of the statute, means to offer alcoholic beverages by the drink in a permanent establishment such as a restaurant or bar (Miss Code Ann. §67-1-37, (1972)). According to the statute (Miss Code Ann. §67-1-37, (1972)), the ABC Commission would not issue a permit to sell or offer beverages containing alcohol in any dining facility, restaurant, or bar located on campus. Even after some explanation, many still wanted clarification from the state legislature about whether it was a strict prohibition or a prohibition against issuing permits to sell alcohol on campus.

The legislature clarified the language used within the statute during the winter of 2007 (Miss. Laws, 2007). As the legislature worked on the language of the statute, I worked with University Attorney Lee Tyner and Dean of Students Sparky Reardon as we discussed scenarios



and made decisions about how best to move forward and write a comprehensive policy on alcohol.

After much work and approval by the Chancellor, I posted a revised policy on alcohol to the University of Mississippi's Policy Directory. From the time the doors opened in November 1848 until April 9, 2007, the campus was by either law or policy a dry campus. By posting the revised policy on alcohol, which allowed for the lawful possession of beverages containing alcohol, the University of Mississippi was no longer a dry campus. For all practical purposes, the University of Mississippi was a wet campus by policy and law. But as one takes a closer look, it is difficult to call the University of Mississippi a completely wet campus because not all types of alcohol are allowed on campus.

By the guidelines set forth in the Mississippi Code, a distinction is made between two types of beverages containing alcohol: those commonly known as beer and light wines and those commonly known as wines and liquors (1934 Miss. Laws 392; 1966 Miss. Laws 1074; 1998 Miss. Laws 28; Miss. S.B. 2878 (2012)). The laws of the City of Oxford allow for both types of alcoholic beverages (Oxford, Miss., Code of Ordinances, ch 14, art. I, 2010; Oxford, Miss., Code of Ordinances, ch 14, art. II, 2010), but most of the campus lies within the confines and jurisdiction of Lafayette County. According to Lafayette County law, alcoholic beverages more than 5% by weight (wines and liquors) are legal, but beverages with a lower alcohol content, such as beer and light wines are illegal (L. Tyner, personal communication, September 6, 2007). Some argue the alcoholic beverage laws of Lafayette County are considered "backwards" and do not follow common sense. As we planned for a possible change to the policy on alcohol, the issue of beer versus liquor continued to be a point of question, contention, and confusion.

Once UM's policy on alcohol was changed, much was written about it in the local press, and many student opinions were voiced in the student newspaper, *The Daily Mississippian*. A popular misconception was that UM itself made a poor decision by implementing a policy that was backwards and confusing rather than Lafayette County law being the culprit of the confusion (Hiatt, 2007). Even after *The Daily Mississippian* printed an explanation stating that the policy followed Lafayette County laws, students and community members alike continued to talk about UM creating a policy that allowed liquor but not beer (McGraw, 2010; Orozalieva, 2007).

Throughout the process of working to revise the University's policy on alcohol, I could not help but ponder how we got here. How did we arrive at the implementation of laws that seemingly go directly against common sense? Furthermore, what reasons are there for implementing new alcohol policies and what considerations should be addressed to provide policies that are comprehensive and beneficial to the educational environment?

### *Significance of the Study*

One of the most prevailing problems on college campuses today is the problem of illegal and abusive alcohol consumption. Researchers such as George Dowdall and Henry Wechsler have studied this area of student life widely in search of answers to the prevailing problems and have identified many reasons college students consume alcohol (Dowdall, 2008; Dowdall & Wechsler, 2002; Wechsler, 2010). Though many reasons for alcohol consumption are known already, the difficult task is actually curtailing the frequency and the amount college students drink.

According to Dr. George Dowdall (2008), "College drinking has been studied empirically since the 1920s including the groundbreaking work of Straus and Bacon in their 1953 book *Drinking in College*" (p. 3). Straus and Bacon's book was one of the first works to determine the

negative effects of alcohol on the college environment, and since then, thousands of studies have been conducted around the effects of college drinking (Dowdall, 2008).

The subject of alcohol in the college environment is nothing new. Straus and Bacon (1953) wrote, “A regulation passed at Harvard in 1734 stipulated that no resident in college should make use of distilled spirits or mixed drinks such as punch or flip in entertaining other students or strangers” (p. 37). Documentation such as this is evidence that alcohol in the college environment was at least an issue, if not problematic, even in the early eighteenth century. Many argue that drinking is rampant and out of control on college campuses (Hingson, 2010; Misch, 2010). But why are college campuses so prone to problems related to alcohol? One of the most insightful theories or statements I have read was written by a temperance educator, Harry S. Warner, and published in a Methodist Episcopal Church pamphlet in 1938. Though the document is somewhat dated, the insight remains today. Mr. Warner wrote:

College alcoholic pleasures, customs, and consequences are not different from those elsewhere in influential society. They are a cross-section, a spectacular exhibit of the rapidly moving life and thought of the day. Notwithstanding age-old traditions peculiar to colleges, honored and retained here and there, and the outbreaks of enthusiasm moistened with alcohol after big games, at fraternity, alumni, and other group affairs, liquor enjoyment is not “collegiate.” Resort to it and dependence upon it follow social, class, family, and community standards. But as a feature in publicity and public interest student drinking has a clear place of its own. (p. 41)

According to Warner (1938), the alcohol-ridden collegial environment is merely a victim of its circumstances. The prevalence of alcohol on college campuses is simply a circumstance of

the institution being a cross-section for many different backgrounds of individuals and the culmination of individuals of influential society having been brought together in one place.

Nevertheless, some students believe that consuming large amounts of alcohol while in college is, simply, something they are supposed to do. A college student once told me the years spent in college were supposed to be the years students did not have to worry about being responsible. The student continued, saying he wanted to look back on his years in college as a time in his life when he was able to do “crazy things” without the burden of being responsible (personal communication, n.d.). This statement alone illustrates the mindset of many college students today and that which has created a culture of alcohol in the collegial environment.

The “culture of alcohol” is a term used on many campuses across America as colleges and universities try to find ways to best deal with the problems related to alcohol (“Changing the Culture,” 2002; “College Drinking,” 2005; Misch, 2010). It is evident that consuming alcohol has become more than something students do to be social and has morphed into something that resembles a culture (“Changing the Culture,” 2002). As the culture of alcohol becomes stronger, colleges and universities are trying to change the culture of illegal and abusive drinking. In 1998, the National Advisory Council on Alcohol Abuse and Alcoholism created the Task Force on College Drinking. This task force was created to

Provide research-based information about the nature and extent of dangerous drinking to high school and college administrators; offer recommendations to college and university presidents on current strategies to reverse the culture of drinking on campus; and offer recommendations to the research community for future research on preventing hazardous college student drinking. (“College Drinking,” 2005)

Some of the ways colleges and universities are working to change the culture of alcohol--and ultimately curtail college-student drinking--is by implementing educational initiatives along with policies and procedures that intend to curb behavior.

At the University of Mississippi alcohol has been problematic since classes began in November 1848 (D. Sansing, personal communication, April 15, 2011). In fact, “Of that now legendary class of eighty, only forty-seven remained through the first full term” (Sansing, 1999, p. 55). Of the thirty-three students who did not return, five students were expelled and eight students were suspended. In 1850, the first publication outlining the guidelines and rules of the institution was disseminated to the students. Alcohol was strictly against the written guidelines in the early days of the University and remained that way for nearly 160 years (Sansing, 1999, pp 60-61).

Similarly, the subject of alcohol within the State of Mississippi has been a contentious subject for well over a century. The State of Mississippi was one of the first states to prohibit alcohol, enacting statewide prohibition in 1908 (Mississippi Alcohol Prohibition Act, 1908), and the state remained dry even after federal prohibition ended (Mississippi Code 1942, Sec 2612). In fact, Mississippi never ratified the twenty-first amendment that repealed the eighteenth amendment enacting federal prohibition (Mount, 2010). In 1966, the state of Mississippi became the last state in America to fully repeal alcoholic beverage prohibition by creating the “Local Option Alcoholic Beverage Control Law.” Though the state legislature repealed prohibition in 1966, many assumed alcohol on college campuses remained against state law. By the guidelines set forth in the Mississippi Code, “the sale [and] consumption of alcoholic beverages” was unlawful on the campus of any state college or school (Miss. Code Ann, §67-1-37(g), 2005). According to Lee Tyner, University of Mississippi Attorney, the language of the law was

ambiguous, leaving college and university officials wondering how to accurately interpret the law (personal communications, March 2007 & January 2011).

Though the subject of alcohol has been a storied one for many institutions, few studies have been conducted using the University of Mississippi. As noted previously, Dr. David Sansing, a University of Mississippi historian, wrote about the disciplinary problems associated with the very first class. In 2003, Jason Dean, completed research for his doctoral dissertation which provided insight into alcohol consumption among students who joined Greek organizations. And most recently, a task force on alcohol, created in 2006, suggested changes to UM policies and practices. One suggestion from the task force included the implementation of an alcohol education course for first semester freshmen. That particular suggestion was implemented immediately prior to fall semester 2007 and provides UM with an avenue for data collection regarding the drinking habits of incoming freshmen. According to a representative of University Health Services at The University of Mississippi, the data collected each year is used to compare the University of Mississippi's students with the national average and for finding ways to better educate students on the dangers of alcohol (B. Collier, personal communication, June 2008). Though data about alcohol consumption are collected each year and Dean's (2003) study was completed using students at the University of Mississippi, very little research has been completed regarding the policies related to alcohol at the University of Mississippi.

### *Purpose of the Study*

The purpose of this study was to provide an analysis of the current alcohol policies at the University of Mississippi, including both the policy on alcohol and the Minimum Sanctions for Alcohol and Other Drugs policy.

For institutions to make good decisions when writing and implementing alcohol policies, understanding the institution's environment and complexities surrounding the topic of alcohol is essential. To gain a better understanding of the topic's complexities at the University of Mississippi, I first examined the issue through an historical lens using methods commonly found within qualitative studies. Additionally, this mixed-methods study included not only qualitative methodology but also quantitative data interpretation to provide useful information to decision makers interested in making informed decisions about writing and implementing alcohol policies.

### *Research Questions*

This study attempted to answer the following research questions:

1. Which historical events led to the creation and/or modification of current alcohol policies at the University of Mississippi and what effect, if any, did local, state, and federal laws have on those decisions?
2. Which considerations, if any, were addressed and what considerations should have been addressed prior to making changes to or implementing new alcohol policies at the University of Mississippi?
3. What impact has the Two-Strike policy had on the "culture of alcohol" at the University of Mississippi?

### *Hypothesis:*

This study tested the following null hypothesis: There is no significant difference in the annual percentage of alcohol-related student-conduct violations between August 2006 and May 2011 at the University of Mississippi.

## *Conclusion*

Though the views, interests, and attitudes of college students may differ from one region of the United States to the next, a common denominator for students across America is alcohol consumption. The reasons college students drink are numerous, but finding ways to curtail the frequency and amount college students drink is much more challenging. Though some college and university administrators believe curtailing the amount college students drink can be achieved by implementing strong policy, such as the Two-Strike policy at the University of Mississippi, there are differing thoughts and theories of how this can be achieved. This study presents a comprehensive analysis of the alcohol policies at the University of Mississippi. The overall objective of this study is to provide college and university decision makers insight into the writing and implementation of similar policies at their respective institutions.

## *Organization of the Study*

This study is organized into seven chapters with important terms defined as needed throughout the work. The first chapter is an introductory chapter which contains a brief historical overview of the study, the significance of the study, the purpose of the study, and relevant research questions. Chapter II is a review of literature that is intended to provide information on similar research topics which contributes to the study. This chapter also provides the reader with additional resources to further his or her knowledge and understanding of the topic. Chapter III outlines the research methods intended for the study, including information regarding the population, sample, data collection, instruments, study design, procedure, and limitations. For one to adequately understand why decisions were made, an historical perspective is included. Chapter IV provides the reader with a detailed historical viewpoint regarding decisions about alcohol policies at the University of Mississippi. Chapter V provides



the reader with quantitative data regarding the number of alcohol and other drug violations observed at the University of Mississippi. Additionally, chapter V provides the reader with the results of statistical tests. Chapter VI contains qualitative findings derived from 24 qualitative interviews. Finally, chapter VII is reserved for conclusions.

## CHAPTER II

### REVIEW OF LITERATURE

#### *Introduction*

The review of literature is grouped into four main sections: Building Solid Foundations; Why Students Drink; Education and Reform; and The Written Rules. Each section guides the reader through pertinent literature that contributes to the study. The first section, “Building Solid Foundations,” focuses on the importance of students building a solid foundation for a successful collegiate experience. Research shows students build collegial foundations based not only on curricular activities but also extracurricular and co-curricular involvement. This section is valuable to the study because getting involved outside the classroom often presents opportunities to consume alcohol; those opportunities are what many believe leads to a culture of abusive alcohol consumption that is dangerous and deleterious to the collegial environment.

“Why Students Drink” is a section of literature addressing numerous reasons students choose to consume alcohol. It is important to understand the reasons college students drink so new policies and educational programs are not destined for failure. The next section, “Education and Reform,” provides the reader with an understanding of how adequate alcohol and other drug educational programs are vital to student growth and students’ overall wellbeing. Additionally, this section refers the reader to literature containing relatively new ideas and suggestions that aim to reform current policies and laws, some of which may have unintended consequences. Finally,

“The Written Rule” provides the reader with information about best practices in writing and implementing policies.

### *Building Solid Foundations*

The relationship between students’ extracurricular involvement and the overall success of enrolled students is very important to the life of an institution. Though some believe the best predictors of student success are high school grades and aspirations, student involvement is a significant part of the student’s overall learning experience. Students’ classroom grades are usually correlated with how involved the student is in the learning process. This applies not only to work inside of the classroom but also to work outside of the classroom. Research shows that “Student engagement in educationally purposeful activities is positively related to both grades and persistence” (Bridges, Buckley, Hayek, Kinzie, & Kuh, 2007, p. 45). Bridges et al. found students who are more engaged in the academic process are more likely to persist or continue as a student at that institution.

Peer interaction also is important to persistence. Bridges et al. (2007) found that peers are the most compelling source of influence affecting every aspect of student development. Peer interaction is vital to retention because students who are comfortable with their surroundings and social interactions are much more likely to return. Some students find supportive peers within student organizations such as religious groups, intramural clubs, varsity athletics teams, and Greek-letter organizations (Buckley et al., 2007; Martens & Martin, 2010). It seems intuitive that students usually gravitate toward groups with similar interests; however, students sometimes get involved with student groups that are commonly known to be more at risk of abusive drinking than others. College athletes and members of Greek letter organizations are two examples of groups known to have higher risks associated with abusive drinking (Belcher et al.,

2006; Frye, Allen, & Drinnon, 2010; Park, Sher, Wood & Krull, 2009; Scott-Sheldon, Carey, & Carey, 2007). Interacting and building relationships are important, but it is essential that students surround themselves with positive and supportive peers.

Though peer interaction and the groups with which students are involved can help pinpoint educational needs, one must look further to identify the causes of precarious student behaviors. Dowdall and Wechsler (2002) pointed out that administrators should observe “the alcohol environment on campus and in the surrounding community” (p. 14). The reason students drink may be the overall culture in which students reside. “Culture of alcohol” has become a buzz-phrase over the course of the past decade. Dubrow, Hartley, and Toma (2005) define culture as “the deep embedded norms, values, beliefs, etc., that help guide behavior” (p. 39). These elements help students interpret the meaning of events and actions taking place within the surrounding community.

Institutional culture is emotionally driven and is often described as the “glue” that binds the institution and the lens through which students view and interpret the world (Dubrow et al., 2005). This glue is an important component to each community because it is the basis on which ideas are formed and decisions are made.

One finds that the willingness of the student to embrace the overall culture or belief system of student groups, and/or the broader belief system and culture of the institution, is largely based on the belief system and values the student possessed prior to arriving on campus (Wells, 2010). The belief system with which students arrive is mostly founded on the teachings of parents during students’ adolescent years. Barnes, Dintcheff, Farrell, and Reifman (2000) found a significant increase in alcohol misuse as adolescents grew older, and the study found that older adolescents were monitored by their parents much less than younger adolescents. The

researchers concluded that if parents monitor their children later in their teens, alcohol misuse may be much less consequential than when adolescents are not monitored. Similarly, it is widely known that many students do not develop drinking habits while at college, but instead develop their drinking behaviors prior to arriving on campus (Harford, Wechsler, & Muthén, 2002). Additionally, Barnes et al. found that males are not monitored as long as their female counterparts and attributed this fact to the reason males rather than females are more prone to misbehavior that is directly related to alcohol. Though some, such as Barnes et al. argue that males are more prone than females to poor behavior related to alcohol, others such as Luebbe, Varel, & Dude (2009) found females are just as likely to have alcohol-related problems as their male counterparts. At one time, females practically could have been excluded from orientation sessions and educational sessions about alcohol, but no longer is that the case (T. Reardon, personal communication, June 2009).

As noted, both male and female college students are affected by alcohol. Though it is imperative for success that students get involved, there are student groups that may be more prone to abusive drinking. Additionally, the overall culture in which students live, learn, and work also may be factors involved with illegal and abusive alcohol use. Though these are factors involved, students still have choices and some choose to consume alcohol. Linking together student involvement and institutional cultural factors may provide a better understanding about the reasons college students drink. The following section is intended to provide adequate literature and information about the reasons college students choose to consume alcohol.

### *Why Students Drink*

As discussed within this section, the reasons college students drink are numerous and vary significantly. Researchers such as Burruss, Miles, Perry, and Svikis (2004) found that some

college students drink to deal with pain and depression. Others such as Crawford and Novak (2007) found some college students drink because of peer pressure and because of falsely conceived beliefs about social norms. And still others found consumption of alcohol may derive from a person's own perceived status within a group (Bot, Engels, Knibbe, & Meeus, 2007).

Bot et al. (2007) defined a student's status as "sociometric status." It was expected that the most dominant or popular group member would exert the strongest influence and similarly the least dominant group member would be the one most influenced. Not surprisingly, the study found evidence to support the argument that peer influence has an effect on drinking habits especially in what the authors call a "drinking situation," but the researchers could not pinpoint which group members were most influential. Bot et al. concluded that the most dominant member is not necessarily the most influential for every group member.

Similarly, students may feel obligated to act a certain way and ultimately consume alcohol a certain way based on preconceived ideas about roles they should play in society. Charlton and Tatum (2008) suggested some of the social vices carried on by men--sexual aggression, fighting, and alcohol abuse--are generally problems associated with wrongful perceptions of masculinity. The authors believed men wrongly perceive drinking abusively as simply part of the male gender role. In the same way, athletes are also one of the highest risk groups for abusive drinking because of their role as student athletes. Athletes usually feel that all eyes are on them and therefore the role they play might be different than if they were not athletes (Frye, Allen, & Drinnon, 2010). In an article addressing the drinking behaviors of athletes, Belcher et al. (2006) outlined some of the efforts put forth by the NCAA and their mandating of an alcohol program for all participating institutions during each academic semester. Though the program may be somewhat beneficial, Belcher et al. explained that athletes have different social

lives than other students and for these reasons it is important to develop specific and appropriate alcohol awareness campaigns tailored specifically to athletes. Similarly, members of Greek-letter organizations also may feel pressure to drink heavily to fit in with the group. A doctoral dissertation in 2003 found that students who planned to participate in Greek recruitment consumed twice as many alcoholic drinks per week than did students not affiliated with a Greek organization (Dean, 2003).

To further answer the question of why students consume alcohol, one should understand perceived outcomes of drinking to intoxication. As college administrators and health educators consistently push negative consequences as a deterrent, a better understanding of exactly which consequences students actually perceive as negative is essential. In 2008, Bachrach, Mallett, and Turrisi conducted a study of college-aged students to better understand which consequences are viewed as negative as compared to those consequences that are viewed as positive and neutral. The researchers compiled a list of consequences and each participant was asked to mark the consequences experienced within the past year. The participants then were asked to rate those consequences as positive, neutral, or negative as it pertained to their own personal experiences. At the conclusion of the study, Bachrach et al. (2008) were surprised by the findings. Several of the consequences listed had higher positive ratings than a negative or neutral rating. Some of the consequences with a higher positive rating are as follows: had a hangover; left a party alone; binge eating; and awoke in another's bed. Bachrach et al. suggested a potential reason for the findings is that "individuals believe experiencing certain consequences (e.g., hangovers) are part of the overall drinking experience and balance the 'negative' consequences with the positive consequences they experience" (p. 1379).

Engels, Lemmers, Overbeek, and Wiers (2005) also found that drinking motives were related to general indicators of drinking levels in specific situations. Frequency of drinking and heavy drinking were related to the expectation of positive outcomes. These outcomes vary between the individual and the situation. Similarly, other researchers found “alcohol consumption on many campuses is now a rite of passage and to many students alcohol is a necessary component of social success” (Alcohol Alert, 2002). The expected outcomes of drinking are what generally persuade students to consume alcohol. Whether it is acting “cool” in front of peers or the student’s aspirations to fulfill social norms, to simply expecting to loosen up after a rough day or for pain relief, the expected outcomes are what generally influence drinking behavior (Bachrach et al., 2008).

In 2005 Greenbaum, Del Boca, Darkes, Wang, and Goldman sought to track college students’ drinking patterns on a weekly basis. Greenbaum et al. (2005) wrote that most information about college drinking is conducted over long periods of time and reveals how much students usually drink on a yearly basis. Tracking students’ drinking behaviors on a weekly basis allowed the authors to view potential increases in drinking behaviors throughout the academic year. Greenbaum et al. found variations in drinking patterns from week to week with an increase in the number of drinks students consume during holidays. The deviations in drinking patterns found by Greenbaum et al were cited as variations in academic responsibilities and occurrence of holidays and holiday weekends.

Though in many cases researchers study drinking behaviors of college students, not every student should be grouped into the same category. There are many demographic variables such as race which should be considered. According to two separate articles from *The Journal of Blacks in Higher Education*, Black students do not drink as often as their White counterparts



(Cross & Slater, 2000; Cross & Slater, 2004a). The authors pointed out that reasons for the stark difference between the two groups is very broad and sometimes poorly understood but “American college traditions such as tailgating at football games, ‘keggers,’ barhopping, doing shots, and Animal House-style frat parties are for the most part white phenomena” (Cross & Slater, 2000). Cross and Slater also noted Black students often do not have the same disposable incomes as White students which may attribute to the findings that Black students drink less than those who identify as Caucasian.

College students drink for many different reasons and the factors involved are so numerous it is practically impossible to provide all of them in one work. Even so, one way to help curb illegal and abusive drinking is to provide adequate alcohol education programs for students at the institution. By providing ample information and educational programs to students about the dangers involved with illegal and abusive drinking, students will be better equipped to make informed decisions moving forward.

### *Education and Reform*

As previously noted, college students consume alcohol for many different reasons, but the alarming statistic, according to Grant et al. (2006), is students ages 18-29 “continue to have the highest prevalence for alcohol abuse and dependence” (p. 86). With every traditional student and many nontraditional students falling within that age bracket, education is a key component for a healthy collegial community.

One of the foremost authorities on alcohol research, the National Institute on Alcohol Abuse and Alcoholism (NIAAA), published a report in 2007 entitled “What Colleges Need to Know Now: An Update on College Drinking Research.” Within the report three educational areas of intervention models were examined which may help reduce abusive drinking. The three

areas examined were Individual Approaches, Campus--Community Partnerships, and Social Norms (U.S. Department of Health and Human Services, 2007). Within the Individual Approaches, the report described some of the research completed on those students who were mandated to receive intervention or treatment for alcohol problems. Additionally, the report pointed out that, though the approach was effective, participation was a problem. On most college campuses, the students who need the intervention most are unwilling and, therefore, do not participate.

Another very important factor is campus-community partnerships (Zakocs, Tiwari, Vehige, & Dejong, 2005). Zakocs et al. (2005) found partnering with local businesses to provide responsible beverage services reduced incidents of Driving Under the Influence (DUI), assaults, and motor vehicle accidents. Others found that a combination of strategies to reduce the availability of alcohol and an increase in treatment options significantly reduced alcohol related incidents including vehicle crashes (U.S. Department of Health and Human Services, 2007; Dowdall, 2008).

Within the Social Norms area of the NIAAA report, the perception about alcohol seems much more permissive than it really is (U.S. Department of Health and Human Services, 2007). The report also found that many students have an inaccurate and inflated perception of the frequency and number of drinks consumed by others. Additionally, some institutions implement campaigns that attempt to change the perception that everyone is doing it. But changing the perception is difficult, and additional approaches are usually needed to figure out how to integrate a social norm campaign into prevention strategies (U.S. Department of Health and Human Services, 2007).

Sometimes education comes from consequences associated with actually getting caught and taking responsibility for one's own actions. Within the learning process of taking responsibility, some believe student conduct officers should assume more of a counseling role and even require students to visit the counseling center (Freeman, 2001). Though required counseling may be common practice at some institutions, Freeman (2001) illustrated how counseling centers want to be "team players with student affairs professionals" (p. 179), but find themselves in an uncomfortable situation when student conduct administrators assign students to sessions of counseling for alcohol-related offenses. Counselors at counseling centers find it difficult juggling the role as an open, neutral, and nonabrasive place into which students can freely walk in and a place where students must go to fulfill disciplinary sanctions. Freeman suggested students will not be as open about their substance abuse habits if they are forced to go through counseling; therefore, the result is a negative experience for all involved. In many cases, the sanctions tend to be ineffective because mandated counseling that consists of books, educational films, and lectures is often redundant and punitive, therefore being ineffective for curbing behavior.

Freeman (2001) suggested a four-step model be adopted instead of sanctions involving pure counseling. This model would involve a 90-minute session that works to build positive connections between facilitators and students. This short session would focus on personal safety, personal values, and lifelong goals. The session works more like a seminar in which students receive a folder with several handouts and note cards and should also be led by an age-related graduate student who can be viewed as a peer educator.

At the beginning of the session, students are encouraged to form and verbally state a one-sentence description of their goals and dreams, followed by the facilitator addressing attitudes

and how attitudes affect choices in everyday life. In step two, the peer educator discusses personal responsibility with the attendees and how their choices dictate results. Moving on to step three, the group is shown a film clip of the movie *Jerry Maguire* and then asked to develop a one-sentence statement describing how they would like to be remembered by four important people in their lives. In step four, the session closes with an emphasis on personal safety, making wise choices, and taking personal responsibility. Freeman (2001) concluded the article by encouraging counseling centers to strongly consider this type of model for students who have minor infractions of the alcohol policy.

Though some are proponents of this type of model, others prefer reforming policy. Some institutions have adopted strict alcohol and other drug policies in hopes that the policies themselves will be a deterrent to alcohol and drug use (Tyree, 2006). Unfortunately, there may be unintended consequences from implementing strict policies. Some administrators fear students may neglect the important call for help when a friend has too much to drink to keep from getting the friend or themselves in trouble. Some institutions now offer what many refer to as amnesty plans so students are not reluctant to make an important phone call for help (Hoover, 2007).

According to Hoover (2007), amnesty plans are “not issuing judicial sanctions or punishment to students who need medical attention as a direct result of alcohol or drug use, but rather making it an educational moment” (p. A1). Opponents argue that giving these students a “get-out-of-jail-free card” does nothing to curb alcohol and drug consumption (Hoover, 2007). Opponents of amnesty plans also cite recent surveys that find students usually do not call for help because they do not know whom to call or they do not believe their friend or acquaintance is in need of help (Hoover, 2007).

Either way, proponents of amnesty policies stand firm, arguing the plan is more educational than punitive because most institutions with amnesty plans also require students to attend some type of alcohol education session with counselors, health educators, or some type of health promotions professional on campus (Hoover, 2007).

Just as there are many different reasons why students drink, there also are many different theories about how to reform the problem. In discussions of the problem of underage drinking, one theory would practically eliminate underage drinking completely. The only sure way to drastically reduce the rate of underage drinking on college campuses is for states to lower the drinking age from 21 years back to 18 years of age (Wasley, 2007). Until 1984 the drinking age varied between the states but in many states, the drinking age was 18 years (Poe, 2010). Over the past few years, a grass-roots effort by college and university presidents, called the Amethyst Initiative, began to press legislators to lower the legal drinking age. The Amethyst Initiative was researched by and headed by former president of Middlebury College, John M. McCardell (Wasley, 2007).

According to Wasley, President McCardell founded an organization in 2007 called “Choose Responsibility” which seeks to begin a movement across the country to lower the legal drinking age from 21 to 18 years of age. Researchers found a number of unintended consequences resulting from a legal drinking age of 21. Some believe as a result of the 21 year-old drinking age, college students tend to drink behind the closed doors of their residence hall rooms and at fraternity houses (Read, Merrill, & Bytschkow, 2010; Wechsler & Nelson, 2010). These habits of drinking underground or consuming alcohol secretly tends to lead to more reckless drinking which poses a greater danger to students (Read, Merrill, & Bytschkow, 2010; Wasley, 2007).

Opponents to lowering the drinking age argue the number of driving fatalities has significantly decreased since the drinking age was increased in 1984 (Wasley, 2007; Wechsler & Nelson, 2010). These opponents say that lowering the drinking age back to 18 would allow for individuals under age 18 to more readily access alcohol, thus lowering the age of reckless drinking to a much more vulnerable age group.

According to Wasley (2007), McCardell believes it is naïve to think that 18-20 year olds are not going to drink; therefore, educating the students on taking responsibility and consuming alcohol at safe levels would be much more beneficial to this group of the population. Additionally, McCardell believes the question is not whether they are old enough to drink but rather how to make the environment safest for this group of society (Wasley, 2007).

Until a decision is made, the legal drinking age in every state is 21, and colleges and universities still should address illegal behavior such as underage drinking (Stoner & Lowery, 2004). Given this fact, administrators should not necessarily dwell on whether a student is believed to be old enough to consume alcohol but rather focus on ways to better educate students about the dangers of illegal and abusive drinking. However administrators view the needs of their perspective institutions, it is a common idea that the culture of alcohol on campuses across the United States needs to change. To be successful in efforts to curb illegal and abusive drinking, administrators must find a plan that will work well on their campuses. In doing so, administrators should first research their own student bodies and clearly “define the patterns of alcohol behavior on campus prior to launching preventative strategies” (Alcohol Alert, 2002). After defining patterns and developing a plan for the institution, administrators should work to fully communicate the plan to the student body (U.S. Department of Health and Human Services,

2002), and finally they must take the time to continually evaluate how well the plan seems to work within the ever changing environment of higher education.

### *The Written Rules*

Though some believe educational strategies are the best way to curb illegal and abusive drinking, others believe strong policies are key components for a healthy environment. For policies to be effective they must be written in a way where they are understandable, comprehensible, and enforceable. Throughout history, societies have established a livable decorum by writing and implementing laws, policies, and procedures. For a community to possess any resemblance of civility and order there must be clearly stated guidelines by which community members abide. Colleges and universities also are communities and need written rules to establish guidelines for fair and acceptable behavior. Written guidelines or rules help order the collegial environment to establish a community conducive for living, working, and learning (Stoner & Lowery, 2004).

Just as many comparisons can be found between municipal communities and educational communities, comparisons also can be made between laws and educational policies. As do laws, educational policies set forth guidelines for acceptable behavior. Simply put, Jacqueline Laks Groman (2008) wrote, “We need laws to make sure everyone is treated fairly” (p. 5). But making sure everyone is treated fairly can become paradoxical, especially when it is difficult to understand or interpret. Oftentimes, laws and policies are written using complex language which may be difficult to comprehend. Over the past five decades, many have rallied law and policy makers to write using “plain English” (Scheibal, 1986). Richard Wydick wrote in 1978 that “Criticism of lawyers’ writing is nothing new” (p. 727). Wydick noted that as early as the 16th century an English chancellor, incensed by the complex nature of a legal document, made an

example of the writer. Wydick continued, noting that the chancellor ordered a large hole cut in the center of the 120 page document and then had the writer paraded around the building with his head stuck through the hole. In the early 1800s, Thomas Jefferson also disapproved of the complex language being used to write statutes (Timm & Oswald, 1985), and within the last 40 years, United States presidents have pushed for plain-language writing within government documents.

President “Nixon wanted the Federal Register, which publishes regulations and notices, to be written in layman’s terms” (Byrne, 2008, p. 88). President Carter ordered regulations written by federal executive agencies to be written in a way that those who must comply with them can understand (Wydick, 1978). In the late 1990s, President Clinton pushed for the first major reform of bureaucratic writing by issuing a presidential memo saying Federal Government writing must be in plain language (Byrne, 2008). Additionally, Vice President Al Gore was “assigned to monitor federal agencies and encourage them to communicate in plain language” (p. 88). More than a decade later the effort is still in full swing. In January 2010, the 111th Congress of the United States began the process of creating the Plain Writing Act of 2010, and “On October 13, 2010, President Obama signed into law the Plain Writing Act of 2010, which is designed to promote ‘clear Government communication that the public can understand and use’” (Sunstein, 2010).

Just as laws should be written in language that everyone can understand, so too should educational policies. In a memo, Cass Sunstein (2010) wrote that plain writing is an essential part of open government which promotes a system of transparency. A system of transparency reduces time and costs by reducing the number of questions fielded by staff (Sunstein, 2010). A system of transparency and less confusion about what is acceptable is essential to maintain a



collegial environment that strives to promote the free flow of ideas. To fully comprehend the guidelines set forth, and for complete transparency, the policies must be available in writing and written in a way that community members can understand (Chapman, 2010).

Though many believe laws and educational policies are synonymous, the two should not be thought of as the same. This idea is especially true for institutional policies related to student conduct. Stoner and Lowery (2004) wrote:

Criminal codes are not good models for student conduct codes. Unlike society our institutions are voluntary associations of scholars who demand and deserve a positive—and special—living/learning environment, as well as special approach for enforcing the academic community’s standards. (p. 5)

Because student conduct codes should not be modeled after criminal codes, the absolute need for specificity is not as important as with criminal statutes (Stoner & Lowery, 2004).

Student conduct codes are administrative policies with the intention of being practical “administrative guidelines with both style and content determined by user needs” (Theodossy, 2011). Just as there is a need for plain language laws, institutional policies should be written in a way that members of the educational community can understand what is expected (Goss, 2009).

Since *Dixon v. Alabama State Board of Education* in 1961, educational institutions have been expected to provide students with minimal procedural due process. Prior to 1961, colleges and universities were thought to act in loco parentis, or like parents. Institutions of higher learning often suspended or expelled students without any explanation or procedural due process. In 1960, six students were expelled from Alabama State College without a formal hearing. The students filed an injunction to keep the Alabama State Board of Education from interfering with their right to attend Alabama State. The Court found that public institutions are bound by the

Fourteenth Amendment's due process clause and part of the due process provided for by *Dixon* is proper notice. A purpose for clearly written policies, which should not be overlooked, is not only to inform but also provide students notice about acceptable behavior. Though *Dixon* specifically requires notice as it relates to a disciplinary charge, providing notice about acceptable behavior in the form of written policies is essential for an environment which is conducive for living, working, and learning (Stoner & Lowery, 2004).

Books and scholarly articles written for the purpose of informing readers about institutional policies are few and far between. Many of the resources outlined in this section specifically address writing laws, not institutional policies. Most of the resources available to policy decision makers are contained within web-based sources. Several institutions, such as the University of California, Davis and the University of Minnesota (Goss, 2009; Theodossy, 2011), have posted on their websites guides for policy writers at their respective institutions. Though published and intended for decision makers at those institutions, the information provided may be helpful to others. For writers of institutional policies, especially policies related to students' rights, responsibilities, and disciplinary procedures, Lowery and Stoner (2004) is an excellent resource with cited justifications and applicable case law.

### *Conclusion*

The literature provided here makes it evident that the reasons students choose to consume alcohol are numerous. Whether it is the institution's culture, peer and organizational influences, or for one of the many other reasons cited, college students have, for centuries, chosen to consume alcohol. To combat the problem, college and university decision makers may choose from several different options. Some may choose to implement educational initiatives, reform current laws, write comprehensive policies which aim to curb alcohol abuse, or use a

combination of these opportunities. This chapter was intended to be a complement to the research and provide additional resources for the reader. The following chapter outlines the methods and ways in which the research for my study was conducted.

## CHAPTER III

### METHODOLOGY

#### *Introduction*

The ongoing debate surrounding the topic of alcohol is nothing new to the American culture (Burns, 2004). Even as early as the seventeenth century, when the Pilgrims landed on the new continent, alcohol in America was a topic of debate and many temperance leaders have spoken against it throughout the centuries (Burns, 2004). Though many topics debated in our society have clear-cut sides, the topic of alcohol has gray areas. Not unlike many other settlements across America, Oxford, Mississippi, has dealt with its own issues related to alcohol since its chartering in 1837 (Oxford, 2008). The people of Oxford and Lafayette county—and since 1848 the community of the University of Mississippi—have viewed alcohol in many different ways. The spectrum on which lie the beliefs of these individuals is quite broad. On one extreme are those who view alcohol as a gratifying gift. On the opposite extreme are those who view alcoholic beverages as purely detrimental to society. Everyone else falls somewhere in between the two extremes. A similar view on the topic of alcoholic beverages is seen as early as 1673, when Puritan minister Increase Mather wrote, “Drink in itself is a good creature of God and to be received with thankfulness, but the abuse of drink is from Satan; the wine is from God, but the drunkard is from the Devil.”

For institutions to make informed decisions when writing and implementing alcohol policies, it is essential to adequately understand the complexities of the topic of alcohol. To gain

a better understanding of the topic's complexities, one should first look at the issue from an historical perspective. According to Gall, Gall, and Borg (2007), "An essential task of historical research consists of investigating the causes of past events" (p. 546). This mixed methods study attempted to provide useful information to those interested in making informed decisions regarding the formation and implementation of alcohol policies. This chapter explains the design of the study, including information about research questions, population, samples, instruments used, and limitations. By using the University of Mississippi as a lens, this study will aid college and university administrators in making productive decisions for future policies at their respective institutions.

#### *Purpose of the Study*

The purpose of this study was to provide an analysis of the current alcohol policies at the University of Mississippi including both the policy on alcohol and the Minimum Sanctions for Alcohol and Other Drugs policy.

#### *Research Questions*

1. Which historical events led to the creation and/or modification of current alcohol policies at the University of Mississippi and what effect, if any, did local, state, and federal laws have on those decisions?
2. Which considerations, if any, were addressed and what considerations should have been addressed prior to making changes to or implementing new alcohol policies at the University of Mississippi?
3. What impact has the Two-Strike policy had on the "culture of alcohol" at the University of Mississippi?

### *Interview Protocol*

To help guide the research and gain pertinent information for the study, I followed an interview protocol. The interview protocol included questions purposefully developed to help answer the research questions. Within the interview protocol were several probing questions (Kvale, 2007, p. 61). The probes were included to gain further insight about UM's decisions to implement the Two-Strike policy and make changes to its policy on alcohol. The following questions were used by the researcher as a guide:

1. Why do you think college students consume alcohol?
2. What is your perception about the alleged alcohol problem at Ole Miss?
3. From your point of view, what factors, if any, helped create the alleged alcohol problem?
4. What was the drinking atmosphere like when you were in college?  
  
(probe) How has it changed over time?
5. In 2006 Officer Robert Langley was killed in the line of duty. How did you learn about Officer Langley's death?  
  
(probe) what was your reaction when you first heard about his death?
6. The Two-Strike policy was implemented shortly after Langley's death. How did you learn about the Two-Strike policy?
7. What other educational or policy options could the University have utilized instead of the Two-Strike policy?
8. Since implementing the Two-Strike policy, what challenges, if any, has the University experienced because of implementing the minimum sanctions policy?

9. What were the major factors involved in changing the University's policy on alcohol from a completely dry campus to a campus that allows the lawful possession and consumption of alcohol?
10. What opportunities have been realized as a result of changing the University's policy on alcohol?  
  
(probe) What are the unintended consequences that have been recognized?
11. Were you involved with the Alcohol Task force?  
  
(probe) In what ways were you involved?
12. In what ways do you think the Two-Strike policy has been effective?
13. Hindsight is usually 20/20. Looking back, what would you do differently?

### *Hypothesis*

In November 2006, the University of Mississippi implemented the Minimum Sanctions for Alcohol and Other Drugs policy, commonly known as the Two-Strike policy. The intention of this policy was to help reduce the number of “destructive events that occur as a result of alcohol and drug misuse” (Khayat, 2006). After several years of using the Two-Strike policy, a question inquired by many is regarding its effectiveness. This study tested the following null hypothesis: There is no significant difference in the annual percentage of alcohol related student conduct violations between August 2006 and May 2011 at the University of Mississippi.

### *Sample*

To provide adequate background information regarding the implementation of alcohol policies at the University of Mississippi, triangulation was used to help “contribute to the trustworthiness of the data” (Glesne, 2006, p. 36). Both archival data was gathered and interviews were conducted to gain insight from various perspectives. Archival data such as

newspaper articles, fliers, and handbills were gathered to help present an historical perspective and a more complete understanding of the actions taken by the University of Mississippi.

Not only was archival data collected but interviews also were conducted. The sample of individuals to be interviewed was purposefully chosen (Creswell, 2009, p. 178). The sample of individuals initially was chosen based on information gained from archival data. The archival data helped identify persons closely involved with making significant decisions regarding the writing and implementation of alcohol policies at the University of Mississippi. Furthermore, other UM staff members, faculty members, students, former students, and Oxford and Lafayette County community members were chosen for an interview based on each person's level of involvement in the community; status as a student, faculty, or staff member at the University of Mississippi, or by suggestion from another interviewee, also known as snowball sampling (Gall, Gall, & Borg, 2007, p. 185).

Interview participants were provided documentation regarding the study and all known risks related to participation. Participation was entirely voluntary and both the interview participant and interviewer could have stopped an interview at any time for any reason. Every effort was made to uphold the confidentiality of interview participants unless permission was granted by the participant to allow his or her name to be revealed. Each interview lasted no more than two hours and was recorded by an audio device and then transcribed for research purposes. To help ensure dependability of the information received and add credibility to the study, member checking was utilized for this study (Flick, 2009, p. 392).

Interview participants were chosen based on two criteria: the amount of information a person possessed about historical events of interest; and how closely involved the person was with regard to implementing changes to alcohol policies. Snowball sampling also was utilized to



identify other individuals who contributed valuable information to the study (Gall, Gall, and Borg, 2007, p.185). Though this study used only the University of Mississippi, the information presented should be applicable (Gall, Gall, & Borg, 2007, p.477) and transferable (Flick, 2009, p.407) to other institutions of higher learning throughout the United States.

The selected sample was appropriate because individuals identified as being closely related to or involved with changes to alcohol policies at the University of Mississippi were able to provide credible information, which helped the researcher present more accurate interpretations of the data (Creswell, 2009). Additionally, an argument could be made that using only the University of Mississippi created a sample that is not transferable to other institutions. But, the study was intended to help decision makers at colleges and universities throughout the nation make informed decisions regarding changes to and implementation of alcohol policies by using the University of Mississippi as a lens.

### *Instruments*

For the qualitative piece of this mixed methods study I used myself as an instrument to gather data (Patton, 2002, p. 566). I gathered data by collecting archival information such as print articles, letters, memos, and other types of archival information. Also, I conducted interviews of individuals selected for their potential to provide valuable information for the study.

In 2005, I accepted an offer to serve as the Interim Associate Dean of Students at the University of Mississippi. My main job responsibility was overseeing the non-academic student conduct process. Also within this role I was the departmental budget officer and the departmental policy manager. Nearly a year after accepting the temporary spot, the job became permanent when the office reorganized. As Assistant Dean of Students, I have exactly the same

job responsibilities as before the change in title. Over the course of the last several years, I have grown tremendously personally and professionally.

When I began graduate school, a career in higher education, especially student affairs, was far from my career plans. As a college athlete, the business that is college athletics always was of interest to me, but it was not a path I consciously thought about pursuing. Working as a graduate assistant in the Office of Financial Aid provided me an avenue and a lens with which to get a glimpse of how colleges and universities operate. The more time I spent in Financial Aid, the more interested I became in areas related to student affairs. I gained an understanding about the entire process including admissions recruiting, registrar processes, bursar disbursements, and the business of helping students matriculate educationally and financially to graduation. Additionally, working as a graduate student worker in the Office of the Dean of Students greatly expanded my understanding of student conduct, Greek life, student government, and other aspects of student affairs. Though my experience was somewhat limited when I began my career as Interim Associate Dean of Students, I soon began to mature as a Student Affairs professional.

It was during fall semester 2006, though, that I learned the most about attempting to quell perception as well as reality, answering to the public after a tragedy, writing transformative policy, and selling UM's direction to the masses. The sentiment about UM students and especially the Grove was that the drinking culture was beyond acceptable. The first three home football games solidified that perception as Rebel fans and visitors alike came to campus to picnic under the canopy of towering oaks. But the environment in the Grove for the first three football games had become a Mardi Gras type of atmosphere which was far different from the family atmosphere many were accustomed to enjoying. Complaints about the Grove began to surface by phone calls and emails to several UM administrators (T. Reardon, personal

communication, September 2006). On Saturday October 7, just a few hours before kickoff of the Vanderbilt game, I attended a meeting of a handful of fans who showed up to share ideas and find ways of getting the Grove back to a family atmosphere. Just a couple of short weeks later, a tragic incident involving alcohol took the life of a UPD officer.

Two weeks later, UM again created an alcohol task force and moved forward with implementing the Two-Strike policy. UM was praised by those who were disgusted with the alcohol culture, jeered by those who were skeptical about UM actually following through, and met with criticism by many within the student body who thought UM was strong arming students.

Each academic year I meet with hundreds of students regarding alcohol and other drug violations. Of the more than 230 students with whom I met for disciplinary reasons during the 2011 academic year, 135 resulted in a first strike alcohol or other drug violation. My professional skills have improved tremendously since first accepting the position in 2005. Furthermore, I have developed many relationships with students, former students, faculty, staff, alumni, and friends of UM which should help me gather adequate information for this study.

### *Quantitative Research*

For the quantitative piece of this study, statistical tests were utilized to further analyze numerical data gathered for interpretation. The Two-Strike policy at the University of Mississippi applies to alcohol and other drug violations. Though the study's main focus was alcohol, other drugs are an important piece and the data regarding other drug violations was included for the quantitative data analysis. Using the stated hypothesis, I wanted to determine whether there is a significant difference in the percentage of alcohol violations between each academic year beginning August 2006 and ending May 2011. Using a 0.05 level of significance,

a Z-Test for proportions was used to determine if a significant difference existed (Hinkle, Wiersma, & Jurs, 2003). It is of note that during the prospectus stage of this study a Chi Squared test was proposed. Once the statistical analysis began a decision was made to use a Z-Test for proportions. This will be further explained in Chapter V.

The data to be analyzed was obtained from the Office of the Dean of Students at the University of Mississippi. The Office of the Dean of Students compiles data regarding the number of alcohol and other drug violations for each academic year. For this study, data related to the number of alcohol and other drug violations was used. No student information was revealed and only numerical data was utilized for the study.

### *Study Design*

The intended design of the study was first to utilize historical research (Gall, Gall, & Borg, 2007, p.185) to provide the reader with adequate background information about the implementation of alcohol policies at the University of Mississippi. Archival data also was collected and interviews were conducted to draw more accurate and dependable conclusions from the data. Additionally, data was interpreted to provide college and university decision makers further information regarding changes to alcohol policies at their respective institutions.

### *Interview Procedure*

Prior to conducting research, I requested approval from my dissertation committee and from the University of Mississippi's Institutional Review Board (IRB) for the research project. Upon approval by both the dissertation committee and the University of Mississippi's IRB, I contacted each member of the sample and requested an interview (See Appendix I).

The sample came from individuals who possessed valuable information for the study. Upon making contact with each individual, I outlined the desire to conduct research and for what

purpose the information would be used. To ensure that each individual in the sample completely understood the research, I submitted to each one a written description of my research and then obtained written permission from each person in the sample to conduct research (See Appendix II). Participation was entirely voluntary and both the interview participant and interviewer could have stopped an interview at any time for any reason. Once permission was granted, I then conducted an interview with the individual to gain valuable information about his or her experiences and perspectives.

Each interview lasted no more than two hours and was recorded by an audio device. Additionally, I kept a field journal to help identify and work through any bias that may have resulted from my personal or professional background. Upon completion of each interview, the interview session was transcribed for research purposes. To help ensure dependability of the information received and add credibility to the study, member checking was utilized for this study (Flick, 2009, p. 392). Each person interviewed was given a copy of his or her interview transcript to validate the information. Once the interviews were transcribed and member checks were completed, I used a computer software program, QRS NVivo9, to help appropriately code the data for analysis.

Though this study only uses the University of Mississippi, the information presented should be applicable (Gall, Gall, & Borg, 2007, p.477) and transferable (Flick, 2009, p.407) to other institutions of higher learning throughout the United States.

### *Limitations*

Though the study is reliable (Cresswell, 2009, p. 190), limitations may exist. Throughout the study, an objective viewpoint was intended. Even so, there is a possibility of researcher bias. As Assistant Dean of Students at the University of Mississippi, I am the departmental policy

manager for the Office of the Dean of Students. While serving in this capacity, I provided input and helped write more than 40 policies at the University of Mississippi, including UM's policy on alcohol and the Minimum Sanctions for Alcohol and Other Drugs policy (the Two-Strike policy). Once the Minimum Sanctions for Alcohol and Other Drugs policy was written and officially implemented on November 1, 2006, I was the primary professional in the Office of the Dean of Students charged with enforcing the Two-Strike policy. My background, including past professional decisions and experiences, could have promoted unintentional researcher bias. Additionally, my personal upbringing and my viewpoints on alcohol as an adult also could have promoted researcher bias.

As a Student Affairs professional, decisions are made almost daily regarding incidents involving alcohol. During my tenure as Assistant Dean of Students, decisions have been made regarding the best way to move forward when writing or amending University of Mississippi alcohol and other drug policies. A bias could have occurred as not to contradict decisions I made or decisions I thought to be correct decisions and the best way to move forward at the time.

My childhood upbringing included growing up in a Christian household where neither parent partook of alcoholic beverages. Though it may not have been the viewpoints of my parents, I grew up with the mentality that drinking any type of alcohol was a sin. Alcohol was preached against in church, my hometown was dry, and I never saw or knew of any of my family taking a drink. During my adolescent and early adult years, my viewpoints on alcohol began to change. I began to see a difference between the drinker and the drunkard. One of the best analogies to describe my current viewpoints on alcohol is the quote noted previously by Puritan minister Increase Mather. Mather (1673) wrote, "Drink in itself is a good creature of God and to be received with thankfulness, but the abuse of drink is from Satan; the wine is from God, but the

drunkard is from the Devil.” Though my perspective about alcohol is not as literal as Mather’s, the spirit of the quote is still applicable.

Cultural aspects, outlooks, and attitudes of students vary from institution to institution and the study may be limited in scope because the University of Mississippi will be the only institution studied. Furthermore the attitudes, beliefs, situations, and opportunities presented in the study may be significantly different from that at some institutions, limiting the study’s usefulness.

Though there may be limitations, the study was intended to provide an objective viewpoint and analysis of the alcohol policies at the University of Mississippi. Furthermore, the study is intended to provide college and university decision makers with information regarding the benefits and obstacles to implementing policies similar to those at the University of Mississippi.

### *Conclusion*

As previously stated, the spectrum of ideas and beliefs about alcohol is very broad. Though some, such as Mather (1673), consider alcohol a gift from above, there is clear evidence of problems related to the over consumption of alcohol. In fact, there is evidence of a culture of alcohol on most college campuses today (Changing the Culture,” 2002; “College Drinking,” 2005; Misch, 2010). Given the dangerous and deleterious nature of the alcohol culture, the University of Mississippi took on an initiative to try to change the culture of alcohol on its campus (R. C. Khayat, email, October 30, 2006). In doing so, UM took necessary steps such as making significant changes to its policies on alcohol and implementing stricter guidelines for alcohol and other drug violations (Nero, 2007). By examining the historical path by which UM’s policies on alcohol traveled and then objectively evaluating the process of writing and

implementing alcohol policies, college and university administrators will possess the information necessary to make informed decisions regarding their respective institution's alcohol and other drugs policies.

The research and findings for this study is presented in the following four chapters. Chapter IV presents a detailed historical perspective from the early days of the State of Mississippi to the present day implementation of alcohol and other drug policies. Chapter V presents the reader with quantitative data regarding the alcohol and drug violations at UM. Chapter VI presents information regarding the 24 qualitative interviews and the identified themes found for this study and, finally, Chapter VII is reserved for conclusions and final thoughts.



## CHAPTER IV

### AN HISTORICAL PERSPECTIVE

#### *Introduction*

The purpose of this study was to provide an analysis of the current alcohol policies at the University of Mississippi. I found it important to first examine the issues through an historical lens. Many of the decisions regarding alcohol policies at the University of Mississippi were shaped by local, state, and federal regulations. As found within this chapter, the oscillating historical path pertaining to the alcoholic beverage laws of Mississippi has been adventurous to say the least. The history of the beverage alcohol laws and policies of the State of Mississippi and the LOU communities are riddled with conflict and compromise.

In the early days of statehood and even during the time of the Mississippi Territory, the governing laws set forth guidelines for the keeping of inns and taverns (1799 Miss. Laws, 97; Lewis, 2006). As time progressed, the laws in Mississippi became more stringent as temperance and prohibition organizations, such as the Sons of Temperance, formed during the mid-nineteenth century (1848 Miss. Laws 458). In 1908, Mississippi enacted legislation for alcohol prohibition, leading Governor James Vardaman to declare that the prohibition laws “would end the liquor problem [in Mississippi]” (Saggus, 1966a, p. 2). In 1966, it became the very last U.S. state to repeal prohibition (Nash & Taggart, 2009). The subject of alcohol continues to be one that is heavily debated and heavily regulated, yet alcoholic beverages continue to be heavily used, especially on college campuses (Hingson, 2010; Misch, 2010). What follows is an in-

depth look at how local, state, and federal laws helped shape policy at the University of Mississippi.

For usability and guidance, this chapter is divided into nine sections, including the introductory section and conclusion. Each section can be thought of as an epoch or era for life in Mississippi and especially at the University of Mississippi as it pertains to significant events and the regulation of beverage alcohol. After the introduction, the first section provides the reader insight into the early laws of both the Territory and State of Mississippi. There is not an abundance of information regarding the regulation of alcohol during the time of the Mississippi Territory, but the first section moves the reader from that early time to 1908 when Mississippi first prohibited the sale of beverages containing alcohol. It was during this time – the middle 1840s – that the University of Mississippi was chartered and classes began.

The next section chronicles legislative actions and local ordinances in the LOU communities between 1908 and 1966. This is a time period in Mississippi known as prohibition. The next two sections—“The Dawning of New Days: The Fight For Liquor” and “Student Protests, ‘In the Heat of the Night’”—follow not only the legislative process of legalized liquor but also a student-led fight for beer in Oxford.

Beer was legalized in Oxford in May 1973, and from that time the number of establishments selling beer increased significantly. The section entitled “COLLEGE, Fun in the Sun and a Rite of Spring... and Beer” provides the reader with a perspective about the changing drinking atmosphere not only in Oxford and at the University of Mississippi, but also around the nation. During the 1990s, the nation experienced an increased awareness of college drinking. An awareness derived from numerous news stories about tragic accidents became a sudden reality in 2003 with the alcohol-related death of a UM student. The two sections titled

“Perspective, Dialogue, and Proactive Reactions” and “Action and Change” are devoted to providing the reader with a perspective of the community perception of an alcohol culture and environment that led to the implementation of the Two-Strike policy and amendments to UM’s policy on alcohol. The chapter closes with a final section reserved for conclusions and a segue to the next chapter.

*From Moonshine to Milwaukee’s Best: 1798 to 1908*

The topic of alcohol has been discussed and governed for centuries and it was no different for the people of Mississippi. The Mississippi Territory was established in 1798 and United States President John Adams appointed Winthrop Sergeant territorial governor (Lewis, 2006). Sergeant’s view of the American frontier was that it was a land of lawlessness and needed both laws to govern and order for peace. Shortly after Sergeant arrived in Natchez, he appointed local judges to help bring order to the land (Lewis, 2006). The judges, known as conservators of peace, met in Natchez during the winter of 1799 and created 46 laws, one of which regulated the keeping of taverns and the sale of liquor (1799 Miss. Laws 97; Lewis, 2006). The laws created during that first session became known as Sargent’s Code. The 1799 law concerning taverns read:

For preventing disorders and the mischief’s that may happen by the multiplicity of keeping public houses of entertainment, no person or persons shall in future have or keep any public inn, tavern, or ale-house, or dram shop or public house of entertainment, in any county, town, or place within this territory unless such person or persons shall be first recommended by the justices in their courts of general quarter sessions of the peace, for counties respectively, to the governor for his license [to sell wine and other liquors]. (p. 97)

The area of land now known as Lafayette County in Mississippi was not part of the Mississippi Territory until 1804 (Bettersworth, 1959). Though it is unclear how the laws regarding alcohol changed between 1799 and 1804, there is evidence that the laws did change in some way. The Code of 1816 notes that the law was changed on March 4, 1803 (p. 396), but there is no evidence of a remaining manuscript with regard to taverns. According to the state session laws portion of the online source Hein, only pieces of the early manuscripts still exist today.

Though only parts of the early laws and amendments are still in existence, the Code of 1816 specifically says the law was changed on March 4, 1803, and modified again on February 10, 1807 (p. 396). The language used in the Code of 1816 specifically allows the individual county courts to grant licenses to individuals to keep taverns or inns. Within this same code, there also is outlined the appropriate fees for obtaining licenses, and the Code also provides guidelines which state licenses to keep taverns and inns must be renewed yearly. By 1816, the fee for obtaining a license was 300 dollars to the governor and 20 dollars to the township. Additionally, tavern and inn keepers were prohibited from drunkenness within his own tavern or inn. Drunkenness by any individual was punishable by a fine of one dollar, and keepers of taverns and inns were subject also to the revocation of license (Miss Code, 1816).

During the legislative session of 1833 the legislators created a governing body called Boards of Police (1833 Miss. Laws 5). Boards of Police were tasked with numerous responsibilities. Some of these responsibilities included redrawing election precincts, levying special taxes, determining who should work on county roads, and all duties formerly overseen by the county courts including the issuing of licenses to sell alcohol (1833, Miss. Laws 5). Boards of Police continued to issue licenses to sell alcohol until 1886 when the legislature enacted a law

to help encourage temperance by “submitting the question of prohibiting the sale of intoxicating liquors to the qualified voters of each county” (1886 Miss. Laws 35). The law was commonly known as “local option.” Local option by the 1886 law prescribed the Board of Supervisors in Mississippi counties to advertise and hold a local election to determine if at least a majority of those voting were in favor of prohibiting the sale of intoxicating liquors within the county. For such an election to be held, the law required the Board of Supervisors to receive a petition of at least one-tenth of the qualified voters within the respective county (1886, Miss. Laws 35). If the measure passed, the sale, trade, barter, gift of, and otherwise exchange of intoxicating liquors within the limits of the county were illegal (1886, Miss. Laws 35). The idea of giving individual counties an option to hold an election and prohibit the sale of intoxicating beverages would again be revisited after the end of federal prohibition and will be addressed later in this chapter.

Another issue addressed in the early years of Mississippi was the effort to establish an institution of higher learning. Three years after Sargent was appointed territorial governor in 1798, Thomas Jefferson was elected president of the United States. Jefferson soon appointed a young follower of his, William C. C. Claiborne, to the helm of territorial governor in 1801 (Lewis, 2006; Sansing, 1999). Jefferson was a proponent of public education and a curriculum of science and enlightenment rather than the popular divinity focused curriculum of Colonial America (Sansing, 1990). Like Jefferson, Claiborne was a proponent of public education. In his book *Making Haste Slowly: The Troubled History of Higher Education in Mississippi*, David Sansing writes, “Governor Claiborne’s conception of man—like that of many other southerners, especially from Mr. Jefferson’s Virginia—was more influenced by French liberalism than by New England Puritanism” (p. 4).

In May of 1802, Claiborne requested of the legislature a bill establishing a state seminary of learning. A bill was passed less than two weeks later and Jefferson College was officially chartered. After nearly a decade of heated discussion regarding the location of Jefferson College and significant trouble acquiring enough funds to adequately support the institution, classes finally began in January 1811 (Sansing, 1990). During the 1830s and 1840s, Mississippi's population more than doubled and the need to educate the people of the state increased in importance (Sansing, 1998). As the number of institutions in Mississippi increased, the number of institutions across the South also increased in number. Most of the Southern colleges during the nineteenth century were located in rural areas away from distractions of the book (Coulter, 1928; Sansing, 1990). Unfortunately, students trapped within the confines of rural areas and who were oftentimes required to be up with the sun for morning prayer or worship, found other ways to bide their time and escape the "dullness of study" (Sansing, 1990, p. 31). Without proper recreation, students found other ways to spend their time, which sometimes resulted in rebellion and other deleterious behavior. On one extreme occasion, students at Princeton murdered a professor unpremeditated (Church & Sedlak, 1997). Additionally, most antebellum colleges admitted very young students who were not mature enough for the rigors of being away from home and the academic expectations to be successful in higher education. Jefferson College admitted a student as young as five years old (Sansing, 1990). A young student population coupled with the "unnatural habitat [of dormitory life] of which breeds misbehavior and allows misconduct to feed upon itself" (Sansing, 1990, p. 31) created a perception about the scholastic fortitude of students at several colleges in the antebellum South.

The scholastic enrollees in the Southern United States were differentiated from their northern counterparts mainly by how they were reared. Leonard D. Gale, in a letter to the

Mississippi legislature in 1840, wrote of the differences between the children in the two sections of the county. Gale wrote:

In the north, children are by habit taught to obey until they become of age; in the south they are very frequently commanders and masters at home from the time they can make themselves understood; it is therefore to be expected that they will wish to exercise the same spirit when they become inmates of the college. (1840 Miss. House Journal 297)

During the same time as Gale's letter to the legislature, another issue was brewing across America. Church leaders and other citizenry began preaching the perils of liquor. In 1842, an organization that became known nationally as the Sons of Temperance was chartered in New York (Coulter, 1928). State and local chapters began springing up throughout the country and by a legislative act at Jackson in 1848, the Grand Division of the Sons of Temperance was incorporated in Mississippi (1848 Miss. Laws 458 ).

The issue of temperance was hotly debated, especially at educational institutions. At the University of Georgia, there is evidence that students debated and were hostile to any thought or encouragement of temperance. In 1846 an eloquent student of Georgia named Henry Law "was called upon while drunk in a tavern to make a speech. He chose temperance as his subject and spoke with such power and pathos that he broke up the meeting and converted to the cause some of his most drunken hearers" (Coulter, 1928, p. 125). Students in the South were prone to misbehavior when seeking a diversion from the monotony of study and Southern students "considered getting drunk and stealing chickens a part of the college experience" (Sansing, 1990, p. 31). The problems about which professor Gale spoke at Jefferson College and his description regarding the differences in rearing between Southern boys and the students up north, coupled with the temperance movement of the day, is probably what led the Mississippi legislature to

pass a law prohibiting beverage alcohol near the University of Mississippi. The University of Mississippi, chartered in 1844, opened its doors to students on November 6, 1848 (Sansing, 1998, p. 53). Nine months prior to classes beginning at UM, the legislature passed a law that made it illegal to sell “any vinous or spirituous liquor in any quantity less than five gallons within five miles of the University of Mississippi” (1848 Miss Laws 151). This law not only prescribed individuals not to sell intoxicating beverages within five miles of UM, but it also prohibited the board of police of Lafayette County from issuing a license to sell intoxicating liquors within five miles of UM. Like many other antebellum colleges in the South, the University of Mississippi was located in a very secluded part of the state. Given the small number of buildings in the physical plant and the isolated setting of the institution, it was inevitable for students to seek mischief in exchange for the tedium of study (Waddel, 1891). By the end of the first term in the summer of 1849, the first class of students at the University of Mississippi had fully mimicked the description given by Gale nearly a decade earlier. Almost half of the 80 students enrolled during the first session of the institution were suspended, expelled, or allowed to withdraw (Sansing, 1999, p.55). Only 47 students remained at the conclusion of the first term and the public image of the University of Mississippi was deplorable (Sansing, 1990, Sansing, 1999).

By the start of the second term, newly appointed president Augustus Baldwin Longstreet implemented new standards for students both academically and non-academically (Sansing, 1998; Waddel, 1891). Page 16 of the 1850 edition of the Laws and Regulations of the University of Mississippi expressly prohibits students from bringing or to “cause to be brought into the College grounds, or on any occasion keep wine or spirits without the written permission of the President” (“Laws and regulations of the University of Mississippi,” 1850). Any type of



alcoholic beverage was strictly against the written rules in 1850 but it was apparent that students of the South, including the University of Mississippi, were enticed to fully achieve the college experience. As John Waddel, one of the original four professors at UM wrote:

the appetite for strong drink was so imperious as to bid defiance to law or public sentiment, and it was found that a way to gratify it will be discovered by its victims in despite of all measures to the contrary.... [Students] who desired to have the poison availed themselves of the [opportunities] offered by the wagons bearing cotton [to the Memphis market] and in return, bringing all goods ordered, and this among other articles. (Waddel, 1891, pp. 269-270)

It seemed that regardless of the rules put in place and the expectations fully expressed by administrators and professors of the day, students had, at least, a subtle craving for mischief which usually included alcohol.

As indicated in Waddel's *Memoirs of Academic Life*, regardless of the State legislative act regarding selling vinous or spirituous liquors within five miles of UM, students acquired the knowledge, ability, and opportunities to buy alcoholic beverages quite easily. According to the legislative act passed in 1848, anyone caught selling alcoholic beverages within five miles of UM was subject to the penalties "prescribed by the act of the 9th of February, 1839, for the suppression of tippling houses" (1848 Miss. Laws 151). The referenced act of 1839 in the preceding sentence prescribed the following penalties: upon conviction of the first offense, "be fined in the sum of two-hundred and fifty dollars, and be imprisoned for a term of not less than one week, nor more than one month" (1839 Miss. Laws 26).

With regard to the state institution of higher learning located in Oxford, the state legislature passed numerous acts and amendments to statutes between 1848 and 1888 in relation

to both the sale of alcoholic beverages and being found in a state of intoxication near the University. In 1857, the legislature passed an act that not only made the Governor an ex officio member of the board of trustees but it also amended the 1848 law to increase the fine for selling vinous and spirituous liquors near UM to “not less than five-hundred dollars, and imprisonment in the county jail not exceeding two months, both or either, at the discretion of the court” (1857 Miss. Laws 109). In February 1878, the legislature passed a bill “to regulate and prohibit the sale of liquors within five miles of the University of Mississippi, and to repeal existing laws on that subject” (1878 Miss. Laws 423). The act effectively removed the language from the 1848 law that allowed purchases of spirituous or intoxicating liquors in quantities of more than five gallons.

The legislature again addressed the issue during the legislative session of 1882 and once more in 1888. In 1882, the legislature set out to clarify that any type of substance containing alcohol for human consumption in any quantity was illegal. The act stated that

the giving away or selling of wine, brandy, whisky, beer, cider, or of any intoxicating liquor whatever, or of any preparation of the same in the form of a beverage, and especially of the preparations known as bitters, by whatever name now or hereafter called, in any quantity or for any purpose, within five miles of the University of Mississippi, is hereby prohibited and made penal. (1882 Miss. Laws 10)

In 1888, the law again was amended to make it lawful for individuals to sell wine within the stated five mile radius of UM so long as the quantity was not less than one gallon, and the person sold the wine on the property where “the grapes [were] grown and the wine [was] made” (1888 Miss. Laws 284).

In addition to amending the stated minimum amount lawful to sell within five miles of the University of Mississippi, the legislative act in 1878 also reduced the fine for selling vinous or spirituous liquors from five-hundred dollars to “not less than \$50, nor more than \$200, or be imprisoned in the county jail for thirty days” (1878 Miss. Laws 423). Additionally, section nine of this act prohibited any person from being found in a state of intoxication anywhere on the streets of Oxford or anywhere on the campus of the University of Mississippi (1878 Miss. Laws 423). According to the law, those found guilty of public drunkenness around Oxford and anywhere on campus were fined 25 dollars or imprisoned in the county jail until the fine could be paid. Two years later, when the Code of 1880 was printed, the fine for appearing in a state of intoxication on the streets of Oxford and anywhere on the campus decreased from the original fee of 25 dollars to a fee of 10 dollars (§ 763). Though the fee for intoxication in Oxford and on campus seemed to change quickly, the fines and punishments stated in the Code of 1880 remained consistent and were included in every printed code through 1927 (Miss. Code Ann. §9512 (1927)).

At the dawning of the twentieth century, the support for temperance organizations had increased significantly since the mid-eighteen hundreds and continued its surge through the first two decades (Rumbarger, 1989). The support by prohibitionist helped to foster changes to state law and by the end of the first decade of the twentieth century, Mississippi enacted a state-wide alcohol prohibition (1908 Miss. Laws 112).

*“The Lips That Touch Liquor Shall Never Touch Mine”: Prohibition in Mississippi 1908-1966*

In 1908, Mississippi became one of the first states to prohibit the selling of “vinous, alcoholic, malt, intoxicating or spirituous liquors” (1908 Miss. Laws 112). The prohibition law of 1908 prohibited the selling of intoxicating liquors, but the law did not prohibit individuals

from possessing, consuming, distilling their own, or even ordering intoxicating liquors and having it shipped from other states. Though it was not illegal to receive intoxicating liquors by shipment, it was illegal to move the vinous, spirituous or malt liquors more than 100 feet from the point at which it was delivered (1908 Mississippi Laws 115). At the time the Mississippi legislature voted to prohibit the sale of intoxicating liquors, there were some individuals who possessed a federal license to sell alcohol. The state law was prohibitive but the licenses granted by the United States Internal Revenue Collector allowed holders to continue selling even in dry states (1908 Miss. Laws 119; 1908 Miss. Laws 120). This prompted the Mississippi legislature to pass two additional acts in 1908.

In 1908, the legislature passed laws requiring sheriffs in each county to obtain from the United States Internal Revenue Collector a list of names of people within the county having a license to sell intoxicating liquors and then publish the names in a local newspaper (1908 Mississippi Laws 119). Additionally, the legislature passed an act urging the United States Congress to cease issuing federal revenue licenses to sell alcohol in dry states (1908 Mississippi Laws 120).

Though there were certain constraints on the people of Mississippi, the laws concerning alcohol still provided enough latitude to not prohibit drinking entirely. Nevertheless, the laws were not as permissive for long. With the legislature accustomed to meeting every other year—on the even numbered years--amendments to the prohibition laws were made during each legislative session between 1908 and 1918. As the legislature continued to pass acts and amendments to the 1908 prohibition law, the issues discussed and the laws passed became even more complicated. During the legislative session of 1916, the legislature not only outlawed advertising of any type of alcoholic beverage but also outlined in great detail the types and

quantities of each type of alcoholic beverages individuals could possess (1916 Miss. Laws 104; 1916 Miss. Laws 117).

By 1918, the temperance movement in America had built up more than a century's worth of steam prompting the United States Congress to pass the Eighteenth Amendment to the Constitution (Hanson, 2012). That same year, Mississippi was the first state to ratify the Amendment and also scratched the complicated laws it passed during the previous decade. On March 28, 1918, Mississippi passed a new law prohibiting the sale, use, possession, shipment and transportation of, and procurement of any malt, spirituous, vinous, or other intoxicating liquors (1918 Miss. Laws 210). This expounded on the original prohibition law of Mississippi, passed 10 years earlier. Though it made it unlawful to possess, keep, or consume alcohol, it was not until four years later that the legislature made it unlawful for individuals to keep personal distilleries commonly called stills (1922 Miss. Laws 276).

As Mississippi passed a stricter law for prohibition in 1918, the United States passed a similar federal law in 1919. The Eighteenth Amendment to the Constitution was ratified on January 16, 1919, and went into effect one year later (U.S. Const., amend. XVIII). The temperance movement in the early twentieth century helped to alter laws and change the way of life for some. Many thought by prohibiting alcohol it would "raise the working class from dirt and beer for the sake of continued industrial expansion" (Rumbarger, 1989, p.114). But no one could have predicted the wealth it generated for some, the crime it created across the country, and the element of sheer disregard for the law for the many who illegally partook of the drink (Okrent, 2003). For Mississippi, in the years between 1918 and 1933, the laws became more restrictive instead of less restrictive. In 1922, personal distilleries became illegal and in 1926 an assault began on items such as liquid ginger, orange peel extract, and pear extract (1922 Miss.

Laws 276; 1926 Miss. Laws 312; 1930 Miss. Laws 34 ). By the late 1920s and early 1930s, a push by legislators and citizens alike to end prohibition was in full swing (Hanson, 2012). The failure of prohibition was noted by successful businessman John D. Rockefeller Jr. in a letter to Columbia University President Nicholas Murray Butler. The letter was printed in the *New York Times* the following day. A self-described “teetotaler,” Rockefeller wrote:

My position may surprise you as it will many of my friends....When [Prohibition] was passed, I earnestly hoped it would be generally supported by public opinion and thus the day be hastened when the value to society of men with minds and bodies free from the undermining effects of alcohol would be generally realized. That has not been the result, but rather that drinking generally has increased; that the speakeasy has replaced the saloon and a vast army of lawbreakers has been recruited and financed on a colossal scale; that many of our best citizens, piqued at what they regarded as an infringement of their private rights, have openly and unabashed disregarded the Eighteenth Amendment; that as an inevitable result respect for all law has been greatly lessened; that crime has increased to an unprecedented degree—I have slowly and reluctantly come to believe [the benefits of Prohibition] are more than outweighed by the evils that have developed and flourished since its adoption, evils which, unless promptly checked, are likely to lead to conditions unspeakably worse than those which prevailed before. (Okrent, 2003, pp. 246-247; Text Of Rockefeller’s Letter, 1932 p. 12)

On December 5, 1933, the Twenty-First Amendment to the Constitution was ratified repealing the Eighteenth Amendment and ending federal alcohol prohibition (U.S. Const., amend. XXI). Less than three months later the Mississippi legislature, meeting for its biennial session, decided to follow suit. On February 21, 1934, the legislature passed a bill legalizing

beer and light wine (beer) throughout the state. This was one of the first steps the legislature took toward repealing alcohol prohibition in the State of Mississippi (1934 Miss. Laws 392).

Soon after the end of federal prohibition, the individual states began passing statewide regulations on beverage alcohol. Some states, such as Tennessee and Mississippi, created two categories for alcoholic beverages commonly known as beer and liquor (1933 Tenn. Laws 153.; 1939 Tenn. Laws 199.). In Mississippi, the threshold between beer and liquor was four percent by weight. The 1934 bill regarding beer and light wine made alcoholic beverages “not more than four-percent” legal throughout the entire state (1934 Miss. Laws 392). According to the newly passed law, regardless of the beliefs of the people--religious, political, or otherwise--it was lawful to produce, sell, possess, consume, and transport beer and light wine of an alcohol content of not more than four percent. The threshold of four percent continued to be the law until it was increased to five percent in 1998 (1998 Miss. Laws 28). During the same 1934 session, the legislature passed several laws concerning beverages containing alcohol. In addition to making beer legal, the legislature passed other laws concerning the privilege tax on beer, advertising of beer, and the ownership of beer breweries within the state (1934 Miss. Laws 263; 1934 Miss. Laws 276; 1934 Miss. Laws 396).

By the laws passed during the 1934 session, beer was legal throughout the entire state (1934 Mississippi Laws 392). Eight years later, during the 1942 legislative session, the state legislature passed House Bill 152. Though the bill was never signed by the governor and became effective without his signature, it allowed for local-option elections that allowed the individual counties to prohibit beer (1942 Miss. Laws 260). The law set forth guidelines that if at least twenty-percent of the qualified voters petitioned for a referendum, an election would be held and the results of the vote would determine if beer would be prohibited within the

boundaries of the county (1942 Miss. Laws, 260). Eight years later, and 16 years after beer was legalized in the state of Mississippi, the legislature went a step further with regard to local option beer. During the 1950 session, the legislature voted to allow municipalities of at least 2500 people to hold an election and either become a dry town in a wet county or come out from under the prohibition laws of the county (1950 Miss. Laws 857).

The progression of local option alcohol in Mississippi after federal prohibition ended is ironically similar to that of the progression of local option in Mississippi prior to federal prohibition. As previously mentioned, it was sixteen years between the legalization of beer in 1934 to the 1950 law that allowed for local option within municipalities. Prior to federal prohibition, Mississippi passed a local option law in 1886 for “the sale of intoxicating liquors” (1886 Miss. Laws 35). Sixteen years later, the state legislature passed another local option law for municipalities (1902 Miss. Laws 153).

According to Ed Perry, one-time legislator and city attorney for Oxford, the years after the legalization of beer in Mississippi, the beer establishments in Lafayette County were viewed by many of the citizens as problematic (personal communication, March 23, 2012). Two years after the legislature passed a bill for local option at the county level, Lafayette County received a petition of at least twenty-percent of the voters and an election date was established. On June 22, 1944, *The Oxford Eagle* published the official announcement for a beer referendum, set for July 4, 1944 (p. 6). The announcement not only announced the beer referendum and primary elections but it also reminded voters to ensure they brought their poll tax receipts which was a requirement in Mississippi to vote at that time.

On July 4, 1944, more than two years after the state legislature passed a local option bill for beer, the electorate of Lafayette County voted 1120 to 696 to become a dry county (“Beer



Banished,” 1944). During my research of this topic, I found no evidence of another beer referendum held for Lafayette County and at the present time, Lafayette County continues to be dry for beer.

Though beer was legalized in 1934, liquor, or beverages with an alcohol content more than four percent, was not. An examination of the laws passed during the 1934 legislative session clearly shows the intention of the legislature was to move ahead with liquor too. Senate Bill number 130 of the 1934 session was signed by Governor Conner on April 3, 1934, and established laws to govern “alcoholic beverages” (p. 397) having an alcohol content more than four percent by weight (1934 Miss. Laws 397). Most of the language within the act outlined, in great detail, the powers and duties of a newly created state supported agency called the State Liquor Commission (Commission) (1934 Miss. Laws 397). According to the language within the chapter, the Commission would be tasked with controlling alcoholic beverages which by definition meant beverages with an alcohol content of more than four-percent by weight, commonly known as liquor and wine. Additionally, the act established the second Tuesday in May 1934 for a state-wide and county referendum. The voter would be asked if he or she was for or against liquor within his or her county. Though the chapter went into great detail discussing the powers and duties of the Commission, there was one piece of the language near the end of the document that left the entire law hanging in the balance. It read:

At such election on the second Tuesday in May, 1934, there shall also be printed on the ballots the words, "for state-wide prohibition" and "against state-wide prohibition", and the voter shall also indicate his choice on such state-wide proposition by putting a cross opposite the words expressing his choice, and the result of the vote on such state-wide proposition shall be forwarded to the secretary of state at Jackson, and the secretary of

state shall certify the result to the governor; and, if a majority of the qualified electors in the state voting in said election on said proposition, vote for state-wide prohibition, the governor shall issue his proclamation declaring this act no longer in effect in the state, and chapter 38 of the code of 1930 shall thereupon be in full force and effect throughout the state. (1934 Miss. Laws 397)

The bill, passed by both houses of the legislature and signed by the governor, consisted of six pages of text and depended completely upon the results of a statewide referendum. When the bill was signed, it initially set the date of the state-wide and county referendum for May 8, 1934 (1934 Miss. Laws 397). The very next day, the legislature decided to push back the election to July 10, 1934 (1934 Miss. Laws 403).

As the results of the referendum were announced, it became evident that the people did not want to legalize liquor within the state. The people of Mississippi spoke through their votes and thus was the demise of the State Liquor Commission and legal liquor in Mississippi (“Wet sentiment has grown,” 1952). The hope of some for prohibition in Mississippi ending completely was halted and, by state statute, prohibition would continue in Mississippi for an unforeseeable period of time.

The years following the end of federal prohibition and the passage of legal beer in Mississippi saw a steady increase in the number of illegal liquor sales in the state. The law regarding liquor was not upheld nor were sheriffs of counties in certain geographical areas of the state inclined to make arrests of bootleggers--a slang term used for individuals who make and/or sell alcohol illegally (Hancock, 1944). The counties along the gulf coast and the counties along the Mississippi River and the area commonly known as the Mississippi Delta were known widely as areas where sales of illegal liquor were allowed by local sheriffs. “Some sheriffs achieved a

remarkable affluence that was hardly justified by their authorized salary” (Mullins, 2006, p. 188). By the way liquor was governed in Mississippi, local option was the process of law in the state. The topic of illegal liquor was one of much discussion and soon had the attention of the state legislature. In an effort to combat illegal liquor and other war-time items such as gasoline, being sold on the black market, the legislature passed, during the 1944 session, a 10 % black market tax on the sale of illegal items (1944 Miss. Laws 262; Mullins, 2006). Though the act encompassed all items sold that were by law prohibited, the law was intended to tax the sale of illegal liquor (“Black market liquor tax,” 1944; Mullins, 2006). A vast majority of the legislators from both houses were in favor of the black market tax and thought it would be the start of a crusade to end liquor in Mississippi. But some of the opponents to the bill, such as Emmett Buckley and Fletcher Gore, thought its passage meant that liquor, since it was being taxed, was now legal in the State of Mississippi (Hancock, 1944). The passage of the black market tax law, and the sentiment of those such as Buckley and Gore, that the liquor laws in Mississippi were void, would surface again two decades later as Mississippi fought the battle to end prohibition.

According to the law passed in 1944 concerning black market taxes, the person responsible for collecting the tax was the state tax collector (1944 Miss. Laws 262). The state tax collector would be responsible for collecting the tax at the appropriate time each month and would be allowed to “retain ten per cent of all collections out of which he shall pay all expenses including that of his own compensation” (1944 Miss. Laws 262). Beginning in 1956, the man responsible for collecting the tax was a University of Mississippi graduate, decorated World War II veteran, and future governor of Mississippi, William Winter (Mullins, 2006). In his memoirs, Mr. Winter wrote about the office of tax collector and problems surrounding the position and those surrounding the dry liquor laws of Mississippi. Some of the problems included the

ingenuity with which the businessmen had to operate their illegal profession, the inconsistency in policing the liquor laws, and the widespread variance in the tax rate or taxes paid on liquor bought in other states such as Louisiana. To get ideas about how to fix the problems, he invited several of those in the liquor sales field to a meeting. Winter wrote in his memoirs:

I called a meeting in my office of the entire membership of the taxpaying bootlegging fraternity in Mississippi. It was a scene straight out of *Guys and Dolls*. They appeared for the most part to be typical hard-working businessmen such as would gather for a committee meeting at the chamber of commerce. (Mullins, 2006)

The discussions about legal liquor continued to surface even after the passing of the black market tax. In fact, the issue of liquor was a strong political platform in the 1940s, 50s, and early 60s (Hood, 2003). There were strong opinions on both sides of the issue and to combat the “political death warrant” brought on by the topic of liquor, Mississippi House of Representatives member Noah “Soggy” Sweat, wrote a speech and delivered it on the House floor in 1952 (Hood, 2003). The speech was delivered as the legislature again made plans for a state-wide liquor referendum (Nash & Taggart, 2008). According to Ed Perry, longtime member of the Mississippi Legislature and Oxford resident who knew Sweat personally, the speech was very deliberate and written over a period of several weeks (Hood, 2003). The speech proclaimed a solid stance on the issue of “whisky” but a solid stance was never taken. For historical significance, it is as follows:

My friends, I had not intended to discuss this controversial subject at this particular time. However, I want you to know that I do not shun controversy. On the contrary, I will take a stand on any issue at any time, regardless of how fraught with controversy it might be. You have asked me how I feel about whiskey. All right, here is how I feel about whiskey:

If when you say whiskey you mean the devil's brew, the poison scourge, the bloody monster, that defiles innocence, dethrones reason, destroys the home, creates misery and poverty, yea, literally takes the bread from the mouths of little children; if you mean the evil drink that topples the Christian man and woman from the pinnacle of righteous, gracious living into the bottomless pit of degradation, and despair, and shame and helplessness, and hopelessness, then certainly I am against it.

But, if when you say whiskey you mean the oil of conversation, the philosophic wine, the ale that is consumed when good fellows get together, that puts a song in their hearts and laughter on their lips, and the warm glow of contentment in their eyes; if you mean Christmas cheer; if you mean the stimulating drink that puts the spring in the old gentleman's step on a frosty, crispy morning; if you mean the drink which enables a man to magnify his joy, and his happiness, and to forget, if only for a little while, life's great tragedies, and heartaches, and sorrows; if you mean that drink, the sale of which pours into our treasuries untold millions of dollars, which are used to provide tender care for our little crippled children, our blind, our deaf, our dumb, our pitiful aged and infirm; to build highways and hospitals and schools, then certainly I am for it.

This is my stand. I will not retreat from it. I will not compromise. (Nash & Taggart, 2008, pp. 208-209)

On April 15, 1952, the governor signed a bill, passed by both houses of the legislature, to provide for a state-wide referendum on liquor to be held in each county during the first democratic election in August (1952 Miss. Laws 606). Leading up to Election Day in Jackson, the *Jackson Daily News* reported that an informal survey of Jacksonians found that about half were in favor of legal liquor and half opposed legal liquor (It's about even here," 1952).

Tallying the votes made it evident that the statewide liquor referendum would fail once again (“Most cities favor county option,” 1952). Regardless of the failed liquor referendum, the State of Mississippi continued to collect a black-market tax on the illegal sale of alcohol (“Wet sentiment has grown in state,” 1952).

Nearly 14 years later, in early February 1966, Governor Paul B. Johnson addressed the Mississippi Legislature calling for the state to either tighten up the policing of liquor or make the state legal for liquor. Along with his speech, Johnson sent to the legislature a 34 page proposal that included another statewide referendum on liquor to be held on March 15, 1966 (Hills, 1966a; “Legislators react favorably,” 1966). According to some reports, legislators who heard the speech thought it was wonderfully presented and agreed with the message orated by the governor. It was reported that one legislator was so thrilled he was quoted as saying the speech “was the most statesman like speech in the Mississippi Legislature, ever” (“Legislators react favorably,” 1966, p. 2). The purpose of the bill and referendum was to again allow the people of Mississippi to vote to either legalize liquor or implement the necessary measures to end the hypocrisy of the open sale of illegal liquor (Hills, 1966a).

Johnson made his speech and submitted his bill for a liquor referendum to the legislature on February 2, 1966 (Peart, 1966a). Three days later, while attending a reception after the annual Carnival Ball at the Jackson Country Club, Governor Johnson witnessed an event that would change the liquor issue in Mississippi forever.

During his speech on Wednesday, February 2, 1966, Governor Johnson had ardently expressed his opinion that Mississippi needed to either be a bone-dry state or become a state that allowed the legal sale of liquor (Nash & Taggart, 2009). Two days later, on Friday, February 4, 1966, Governor Johnson attended the Jackson Junior League’s annual ball where a king and

queen were selected at the Mississippi Coliseum (“Uninvited guests pick up all drinks,” 1966). After the selection of the royalty, a reception was planned at the upscale Jackson Country Club. As the affluent citizens of Jackson and other VIP guests began to gather at the Jackson Country Club, Hinds County Deputy Sheriff Tom Shelton, along with three other deputies, walked through the door and served a search warrant on the club’s assistant manager, Charles Wood (“Confiscated booze worth \$10,000,” 1966). The search warrant, signed by Hinds County Judge Charles Barber, allowed the four deputies to search for and confiscate nearly \$10,000 in assorted liquors, wines, and champagnes (“Confiscated Booze Worth \$10,000,” 1966; “Uninvited guests pick up all drinks,” 1966). *The Clarion Ledger* reported that more than 100 cases of illegal alcohol were confiscated during the raid. It was reported that one woman asked Governor Johnson, “Paul, can’t you do something about this?” Responding to the woman and probably referring to his liquor speech, Johnson said, “I made a stand, I took my chance” (“Uninvited guests pick up all drinks,” 1966, p. 1).

As the pieces began to fall into place after Shelton’s raid on the Jackson Country Club, the legislature had much work to do in terms of approving or amending Governor Johnson’s plan to take the liquor decision to the people (Peart, 1966b). Though the legislative decisions about liquor and the raid on the Jackson Country Club were two separate events, the two were closely interwoven during the legislative session of 1966. Though the views about how to deal with the liquor issue were broad, most everyone thought that something needed to be done. Governor Johnson had strong opinions about how to move the state forward. Some of those ideas included a state-wide referendum and state owned liquor stores (“Legislature tackles booze,” 1966). Several legislators voiced concern about the pro government movement of having state-run liquor stores. Others were concerned about the progress of the state on the issue of liquor if a

state-wide referendum failed (“Legislators react favorably,” 1966). One newspaper article even made light of the situation by publishing a letter from a voter that read:

I am confused. Maybe you can help me out. One day the bootlegger came to my house asking me to vote dry and the next day the preacher and the church folks came and asked me to vote dry. I am really confused. Who’s dry? (Ward, 1966)

It appeared the legislature was in for heated debates in the weeks ahead. Not only was there potential for heated discussion but the legislature also would be keeping a watchful eye on the impending court hearing regarding the Jackson Country Club liquor raid. Rulings stemming from the Country Club hearing could affect not only public perception but also the perception of the legislature.

#### *The Dawning of New Days: The Fight for Liquor*

The issue of legal liquor was nothing new to the state legislature in 1966. Four different bills, including the one submitted by Governor Johnson in February 1966, had been discussed in the legislative chambers since 1960. During the 1960 legislative session, a local option bill passed the Senate but never moved out of the House (Saggus, 1966a). Again in 1962, a sparkling wine bill passed both houses of the legislature but never became law because it was vetoed by Governor Ross Barnett. Then in 1964, a local option bill was discussed and it was favorable enough to pass both houses. That particular bill ended up being vetoed by Governor Paul Johnson (Saggus, 1966a). With the new local option liquor bill submitted by Johnson, it appeared the Governor had changed his mind from two years earlier when he vetoed a similar bill. It was apparent from the rave reviews reported by newspapers that Johnson’s speech resonated with most all in attendance but the ideas about how to enact proper legislation varied



greatly (Bonney, 1966a; Saggus, 1966a; Peart, 1966c; “Senate okays Johnson’s local option liquor bill” 1966).

During the four months between February and May, the legislature debated heavily about how best to write a comprehensive bill that worked well for everyone. The bill was formally introduced to the Senate on February 8, 1966, and given to the Senate Temperance Committee for review (Associated Press, 1966).

By February 10, the Senate Temperance Committee voted in favor of the bill but decided to leave the bill as Governor Johnson had submitted it (“Senate committee okays liquor bill,” 1966). The bill, submitted to the Senate on February 22, was discussed extensively and amended heavily. After several days of discussion on the Senate floor, the bill passed by a vote of 34 to 17 and included 54 amendments (Peart, 1966c; “Senate okays Johnson’s local option liquor bill,” 1966).

As the House prepared to look at Johnson’s liquor bill, along with the 54 amendments added by the Senate, a separate but related issue was brewing a few city blocks away in the Hinds County Court House. Throughout middle and late March of 1966, Hinds County Judge William T. Barber was hearing arguments in the case of Charles Wood, the assistant manager of the Jackson County Club charged with illegal possession of liquor (Normand, 1966a; Normand, 1966b; Watts, 1966a). The club, which had illegal liquor stored on its premises, was raided in early February 1966 by several Hinds County Sheriff’s deputies led by Tom Shelton. Judge Barber’s court heard arguments from both sides and the defense began building a case for why Mississippi’s liquor prohibition law was null and void and had been since 1944. The defense argued that the state had taxed the sales of illegal liquor since 1944 and a tax openly collected nullified the law. Additionally, the defense argued that sheriffs in a large majority of counties in

Mississippi ignored the liquor prohibition laws and because some citizens were arrested and others were not, the people of Mississippi did not have equal protection under the law (Watts, 1966b). The defense had several key witnesses testify including individuals from the State Tax Commission, sheriffs, and William Winter, former tax collector for the State of Mississippi (Normand, 1966a; Normand, 1966b; Watts, 1966a). Not only was the defense trying to make the case that individuals did not have equal protection under the law, but also that Mississippi's liquor laws were null and void because the state was knowingly and ardently collecting a tax on the wholesale and the retail sale of illegal liquor (Normand, 1966b).

After four days of hearing arguments and a couple more weeks of waiting for the court's briefs, Judge Charles Barber declared the state's liquor laws to be null and void. This meant that all criminal charges against Charles Wood were dropped and a court of competent jurisdiction declared the liquor laws of Mississippi to be unconstitutional (Watts, 1966b).

Meanwhile, back at the state capital, the House was awaiting opinions and language changes to Johnson's liquor bill from the House Temperance Committee. As the House took up other legislative measures, a watchful eye continued to be on the court process in the Country Club liquor case. The state attorney quickly filed an appeal, but only on the ruling of the law itself. Charles Wood was cleared of all charges and no appeals were brought against that ruling. What the state attorney did appeal was Barber's decision that the liquor laws of the state were unconstitutional (Bonney, 1966b).

In the days leading up to the announcement by Judge Barber, it appeared the legal liquor issue was dead and the legislature was not going to pass a bill that Johnson would sign (Saggus, 1966b; Saggus, 1966c ). After Judge Barber ruled Mississippi's dry liquor law was null and void, his decision sparked a new urgency to get something done. Many of the legislators were

concerned that if the decision was eventually upheld by the State Supreme Court, there would be no way to control the sale of liquor within the state. Additionally, the state would lose the nearly 4-million dollars in tax revenue it took in annually from the black market tax (Peart, 1966c).

In the two weeks after Judge Barber's ruling on the state's liquor laws, the House Temperance Committee was hard at work drafting language amending the bill passed by the Senate in late March. The language drafted by the House Temperance Committee became known as the Bryant bill because the author of the bill was Representative Phil Bryant of Lafayette County (Saggus, 1966d). The Bryant bill called for two measures the Governor consistently said he would veto. The bill called for a statewide referendum for the individual counties to vote whether or not to legalize liquor and privately owned liquor stores (Bonney, 1966c; Hills, 1966 b). Though it was well known that Governor Johnson said he would veto a similar bill, some thought the Governor would sign a bill like Bryant's because of the pending court rulings on the constitutionality of the state liquor laws (Saggus, 1966d). Others claimed that the Governor would sign the bill because some of the legislators claimed that holding a statewide referendum to pass a law was unconstitutional and that only the legislature could pass laws (Peart, 1966d).

The House passed the Bryant bill on Tuesday, April 26, 1966, and sent the language of the legislation back to the Senate for review. On May 2, 1966, Circuit Judge Russell Moore affirmed the decision of Judge Barber that the state's liquor laws were unconstitutional (Hurt, 1966a). Judge Moore, citing the tax collected on illegal liquor, stated the legislature had failed "to provide for uniform, consistent, and nondiscriminatory application of the statute" (Hurt, 1966a, p. 1). The state's attorney's office filed an appeal to the State Supreme Court later that

same day. If the state supreme court affirmed the rulings of both Judge Barber and Judge Moore, the State of Mississippi would have no way to control the sale of liquor (Hurt, 1966a).

As discussion on the Bryant bill reached the Senate, Senators Bill Caraway of Leland and Bill Alexander of Cleveland submitted an amendment that was a compromise to Governor Johnson's plan and the Bryant bill passed by the House. The compromise was a local option liquor bill that did not require a state-wide referendum but did allow for a "state wholesale liquor dealer" (p.1A) that would provide alcoholic beverage packages to privately owned liquor stores ("Senate Approves Local Option Bill," 1966). This bill would require privately owned liquor stores to acquire its stock from the state-owned wholesale dealer. The bill passed the senate by a vote of 28-17 on Wednesday, May 11, 1966. Two days later on Friday, May 13, 1966, the House passed the bill by "an overwhelming majority" (p.1A) of 63-28 (Saggus, 1966e). The bill, "in a headlong race against the courtroom clock" (p. 1A) then was sent to the desk of Governor Johnson (Saggus, 1966e).

By law, the Governor had five days after the bill reached his desk in which to sign the bill (Saggus, 1966e). After the passage of the bill by the legislative houses, an article in the Saturday edition of the *Jackson Daily News* mentioned the passion the bill had throughout the state. The article said that "ministers and bootleggers are united in hoping Governor Johnson will veto it and restaurateurs are pressing him to sign" the bill ("Passion-packed liquor issue in hands of PBJ," 1966, p. 1).

By Thursday of the following week, Governor Johnson still had not signed the bill and the State Supreme Court was hearing oral arguments on the Jackson Country Club case (Hurt, 1966b). Governor Johnson had until the end of the day Saturday to sign or veto the legislation or the legislation would become law without his signature. On Saturday morning, the headlines of

an article by James Saggus read, “Stroke of the Pen or Stroke of Midnight?” (1966f, p. 1). A little after 2:00 p.m. on Saturday afternoon, May 21, 1966, Governor Johnson signed the bill into law, stating after he signed it, “I pray to God I have done the right thing” (Hills, 1966c, p. 1A).

The bill signed into law became known as the Local Option Alcoholic Beverage Control Law of 1966 (1966 Miss. Laws 1075). The language of the bill provided for statewide prohibition of alcoholic beverages, commonly called liquor and wine, but allowed for the individual counties to vote themselves out from under the state prohibition laws. Soon after the bill was signed and approved counties throughout Mississippi began having county referendums to officially legalize the sale of wines and liquors (“Liquor referendum polling set for Lafayette County,” 1966).

In Lafayette County, where the University of Mississippi is located, liquor had been prohibited by law since 1908 and beer had been prohibited since a referendum was held in July 1944 (1908 Miss. Laws 112; “Beer banished in special election,” 1944). The case for legal liquor in Oxford and Lafayette County began picking up steam in the summer of 1966. For many years, the people in Oxford and Lafayette County traveled north, just across the Marshall County line, to visit Johnnie or Johnnie Zanola. Johnnie was a well-known bootlegger who owned Johnnie’s Grocery (L. Elliott, personal communication, April 30, 2012; Watts, 1966a). By July, the necessary signatures on a petition were gathered and a countywide referendum was scheduled for August 13, 1966 (“Liquor referendum polling set for Lafayette County,” 1966; “Beer not item in liquor vote,” 1966 : “Liquor petition is approved,” 1966).

On Saturday, August 13, 1966, Lafayette County became the thirteenth county in Mississippi to legalize the sale of liquor (“8 seek liquor permits,” 1966). The vote of 2445 to 1668 for the legalization of liquor symbolized a changing persona in northern Mississippi,

especially since the liquor referendums of 1934 and 1952, respectively (“Wet sentiment has grown,” 1952). As the following week began, several applications for on-premises permits and package store permits were filed, one of which was by known Marshall County bootlegger, Johnnie Zanola (“8 seek liquor permits,” 1966).

As Lafayette County and Oxford settled into a society of legalized liquor, the issue of legalized beer again began to filter into conversations around the County (“Beer not item in liquor vote,” 1966). In late summer and early fall of 1967, a petition for the legalization of beer in the City of Oxford was submitted and confirmed. A citywide referendum was advertised and set for October 24, 1967 (“Referendum set for legal beer,” 1967). As the date of the referendum approached, letters to the editor, advertisements, and other articles bombarded *The Oxford Eagle* in response to the upcoming vote. It seems there were many more letters and advertisements against the legalization of beer than for the legalization of beer. Oxford Mayor Richard Elliott said he was against beer because he did not like the way it smelled and did not want to smell beer in cafés where it was sold across the counter (Boyd, 1967a). As the date for the referendum approached, no one could imagine the storm brewing on the horizon.

#### *Student Protests “In the Heat of the Night”*

On Tuesday, October 24, 1967, the Oxford electorate voted and the beer referendum was defeated (“Voters say no to beer,” 1967). As the news of the election results circulated on campus, students at UM began gathering on Fraternity Row. The discussions turned to anger as the group of students began to grow. By 9:00 p.m., the mob of students had grown to roughly 800 strong and leaders decided to march on Oxford (“Mob provides mixture of humor and gravity,” 1967). The students made signs that said, “We Want Beer,” and chanted “Go to hell, Oxford” as they made their way up Jackson Avenue to the Courthouse Square (Boyd, 1967a;

“Mob provides mixture of humor and gravity,” 1967). The students sat in the street around the court house and refused to leave. Local police attempted to move the students, but they would not budge.

As the mob of students was making its way to Oxford, Associated Student Body (ASB) President Bill Gottshall was studying in his room located in the Sigma Nu fraternity house (B. Gottshall, personal communication, January 10, 2012). When he heard of the march taking place, he headed to the Square to help resolve the problem. According to newspaper reports, it was Gottshall and his leadership that was credited with getting the students into small groups and eventually led to the students leaving the Square (Boyd, 1967a). The march on the Oxford Square by University of Mississippi students was unlike other marches and riots common in America during the 1960s. The march was not motivated by a hotly debated social justice issue (L. Wamble, personal communication June 19, 2012). It involved both men and women, Black and White students. It was that very realization that prompted a Black student to be quoted in *The Mississippian* as saying, “Baby, this is better than a race riot” (“Mob provides mixture of humor and gravity,” 1967, p. 1).

At the conclusion of the march on the Oxford Square, the angst, frustration, and anger of the students were still running high. There was uncertainty about what to do next. It was approaching 10:00 p.m. when a student inquired about why the crowd was disbursing. “An anonymous reply came from the crowd, ‘They’ve got to [walk] back by the dorms to get the girls in by 10:30’” (Mob provides mixture of humor and gravity,” 1967, p. 1). As the crowd began to disband and the women headed back to campus before the 10:30 p.m. curfew, several students thought it would be a good idea to pay a visit to Mayor Elliott’s home. According to Thomas J. Reardon’s dissertation, Mayor Elliott, at the beginning of the fall semester 1967, made a friendly

gesture to the student body and invited the students to stop by his house and visit at any time (Reardon, 2000). The students, now roughly 250 strong, decided to take him up on his offer and began a march toward the mayor's house located on Fillmore Avenue, just a few short blocks from the courthouse.

As Bill Gottshall heard the news, he rushed to the mayor's house to do what he could to again disband the students. According to Gottshall, he stepped through the back door of the house and noticed the mayor visibly upset, sweating profusely, and shaken (B. Gottshall, personal communication, January 10, 2012). He encouraged the Mayor to speak to the crowd because that was the only way Gottshall saw the crowd disbanding.

Back on campus, Mayor Elliott's daughter was in her room at the sorority house (C. Carter, personal communication, April 30, 2012). She was telephoned by a friend and told an angry mob of students was headed to her parents' house to riot because of the beer vote. She begged and pleaded with the house mother to allow her to leave the sorority house even though it was after curfew but the house mother declined. She telephoned the police and the police told her they were aware of the situation and would phone her at the sorority house with any new updates (C. Carter, personal communication, April 30, 2012).

At Mayor Elliot's house, the crowd became more and more boisterous, pulling up hedges and threatening to kill the mayor's dog, a Poodle belonging to the mayor's daughter (C. Carter, personal communication, April 30, 2012, Boyd, 1967a). Several minutes went by, and Mayor Elliot finally stepped out onto the porch. According to Gottshall, he put his hands up in the air and told them they had their say and he understood their frustration. His comments were met with boos, angry shouts of obscenities, and other obscene gestures (B. Gottshall, personal Communication, January 10, 2012; Boyd, 1967a). According to one member of the Elliot



family, a *Mississippian* reporter took several photos of students on the front lawn “mooning” the mayor as he spoke (C. Carter, personal communication, April 30, 2012).

After the mayor spoke to the students, ASB president Bill Gotshall spoke, telling the angry mob of students that they had their say and it was time to go home (B. Gottshall, personal communication, January 10, 2012). The crowd slowly, and eventually, disbanded and when the sun came up the next morning, the front yard of Mayor Elliot’s house “looked like a bull dozer had gone though” (C. Carter, personal communication, April 30, 2012), with large clumps of dirt and grass uprooted and the hedges pulled out of the ground. According to UM historian David Sansing, it is the only time in the University’s history that the students marched or rioted on the City of Oxford (D. Sansing, personal communication, n.d.).

Though the march on the city and Mayor Elliott’s house was over, the fight for beer was just beginning. The beer issue managed to split relationships within the Oxford community and especially the ministerial association (Leone, 1967; “Voters say no to beer,” 1967). Within a couple of days after the beer election, a petition was filed by a few citizens contesting the election (“Beer election upheld,” 1967). When the election commission ruled the election valid, local lawyer Basil Richmond filed a petition for continuance to keep the Oxford board of aldermen from certifying the election (“Beer election upheld,” 1967; “Wets find miscues,” 1967).

Leading up to the election, some of the articles printed in *The Oxford Eagle* encouraging citizens to vote against beer were religiously based, including one by Jim Bain, the pastor at North Oxford Baptist Church, (Bain, 1967). Interestingly, the petition filed by Richmond challenging the election results was filed on behalf of Father Bernard Haddican, Reverend H. M. Morse Jr. and James C. Jackson (“Wets find miscues,” 1967). The claim of the petitioners was

that there were numerous voting irregularities. Some of the irregularities noted were that city poll books had not been purged since 1959, several voters were either not registered at all or not registered for four months required by law, and ballots were marked incorrectly (“Wets find miscues,” 1967).

As petitions were filed by citizens of Oxford, the sentiment of the students was that Oxford would not survive without the commerce provided by the student population. ASB Social Affairs Director, and eventual Mississippi governor, Haley Barbour proposed giving local business owners who supported beer signs to place in their windows (“Beer boycott proposed,” 1967). This would help students know where to shop and where not to shop. Additionally, there was a proposed boycott of Oxford businesses (Kimbrough, 1967). The student leaders planned “to compile a list of towns nearby where beer can be bought, and encourage students to do their other shopping there [too]” (“Beer boycott proposed,” 1967).

After acknowledging the petition submitted by Richmond, the Oxford Board of Aldermen scheduled a series of hearings during the months of November and December (“Beer election upheld,” 1967; Boyd, 1967b). At those hearings, Basil Richmond outlined the numerous voting irregularities he found during his review of the election. City attorney Tom Etheridge maintained that the discrepancies were not numerous enough to justify having a new election (Boyd, 1967b). On Tuesday evening, December 6, 1967, the Oxford Board of Aldermen met and voted to affirm the results of the October 24 beer election citing that “the result of the election would not have been changed had not such irregularities taken place” (“Oxies say no beer,” 1967, p. 1). The very next night, on December 6, 1967, a student demonstration again took place with another march on Oxford (“Beer-mad students,” 1967). The number of students was much smaller than the mob that had marched on Oxford in October, but the destructiveness

of the students was much more severe. The demonstration, which initially began as a non-violent protest, took a similar route to the Square as was taken during the October march on Oxford. After making it to the Square and deciding to head to Mayor Elliot's house, the students became much more violent ("Beer-mad students," 1967; Overby, 1967 b) The students ran through the streets turning over full trash cans, and breaking parking meters as they once again headed to Fillmore Avenue where Mayor Elliott lived. At Mayor Elliott's house, Dr. Franklin Moak, Dean of the Division of Student Personnel, told the students that they needed to disband, but his request was met by students sitting down on the lawn still wet from a recent rain (Beer-mad students," 1967). With little cooperation by the students, highway patrolmen finally moved in and broke up the demonstration. By the end of the night, the Highway Patrol had arrested nearly 60 students and charged most of them with disorderly conduct and disturbing the peace ("Beer-mad students," 1967; "Cops say more arrests coming," 1967). It was probably good that fall semester was coming to a close and the student body would have a cooling period as they left Oxford for winter break.

Because of the passion with which the students at UM demonstrated, coupled with how close the final vote was for legalized beer in Oxford, it was no surprise that another petition for legal beer in Oxford was approved just five years later. According to state statute, there must be at least five years between beer referendums (1942 Miss. Laws 260). It was in May 1973--a little more than five years after a failed beer referendum caused the students to twice march on Oxford—that another beer referendum was slated for the people of Oxford (James, 1973). Numerous advertisements in *The Oxford Eagle* were published leading up to the election encouraging voters to vote no on the beer issue (Bain, 1973; "Now the facts are known," 1973). As it turned out, the voters would be going to the polls on May 15 to not only vote on the issue

of legal beer, but also to decide the runoff election of Oxford mayor (James, 1973). The two candidates on the ballot were John Leslie and Woodrow Lee. On May 15, 1973, *The Oxford Eagle* ran a story stating that voter turnout had been heavy that morning. The writer continued, stating regardless of whether or not beer would be legalized this time, “There is little apathy toward the issues” (James, 1973, p. 1).

At the conclusion of the day, John Leslie was Oxford’s newest mayor and beer was legal in Oxford for the first time since July 1944 (Marble, 1973). Leslie received 1596 votes and beer received 1572 votes prompting Leslie to joke that he got more votes than beer (E. Perry, personal communication, March 23, 2012; Oxford, Miss., Code of Ordinances, No. 1973-11 (1973)). According to some of the individuals I interviewed for this study, an historical perception is that Mayor Elliott was not a fan of beer and helped keep beer from being legalized while he was mayor. Additionally, a few of the people interviewed had the perception that the next mayor of Oxford, John Leslie was more progressive in his thinking and is credited with having beer legalized in Oxford. As it turns out, when beer was voted on and legalized in Oxford, Mayor Elliott presided over the Oxford beer referendum of 1973 (Oxford, Miss., Code of Ordinances, No 1973-11 (1973)).

Throughout the days leading up to the beer referendum, the board of aldermen vowed to place provisions on beer if legal beer did pass. One of the provisions stated was that no sales were to be made “between midnight and 7:00 o’clock a.m. the following morning and on Sundays” (“To the citizens of Oxford,” 1973). The proposed ordinance also held that beer and light wine would not be sold within 400 feet of a church or school, and refrigerated beverages could only be sold by those businesses holding an on-premises permit to sell beer. Additionally, the proposed ordinance prohibited signs to advertise beer, sales at any time during which election

polls were open, any type of public consumption even on a public golf course, and required that on-premises permit holders for beer and light wine also obtain a permit from the Alcoholic Beverage Control Commission to sell alcoholic beverages (“To the citizens of Oxford,” 1973). Though the challenges were many, it appeared that permits would be obtained because the people voted for beer and a market existed (Marble, 1973).

*COLLEGE, Fun in the Sun, and a Rite of Spring... and Beer*

At the time beer was legalized in Oxford, the legal age in Mississippi to buy and consume beer and light wine was 18 years (1934 Miss. Laws 392). The legal age in Mississippi to purchase alcoholic beverages commonly known as liquor and some wines was 21 years (1966, Miss. Laws 1075) . At the University of Mississippi, it was not uncommon for students and staff members to drink beer in the same establishment. According to some, it served as a way for adult educators to model good behavior for students (J. Trott, personal communication, May 2012). As the 1970s moved toward the middle and end of the decade, the UM campus was growing and so too were the traditions.

Though traditions are often thought of as long-standing rituals or practices, according to Frank Moak, a legendary college administrator at the University of Mississippi, “the only thing necessary for the establishment of a college tradition is for something to happen once” (Sansing, 1999, p. 335). One of those short-lived traditions was known to students at UM as “Shrimp and Beer.” In the 1950s, students began celebrating the old South and the arrival of spring with an annual event known as Rebelee (T. Reardon, personal communication, November 2011). As time progressed, Rebelee turned into Dixie Week. Dixie Week was an event-filled week during spring semester with popular bands in the Grove, foods such as ice cream and watermelon, and events for students (N. Crutcher, personal communication, n.d.). It was the late 1970s when

students began gathering at nearby Sardis Lake in Panola County on Friday of Dixie Week for an event that became known as Shrimp and Beer. Shrimp and Beer morphed into an event sponsored by the ASB and Budweiser (T. Reardon, personal communication, November 22, 2011; L. Tyner, personal communication, December 2011). The University worked with Food Services and Budweiser, who supplied the shrimp and beer, respectively, and with the United States Corps of Engineers, who helped to make the event at Sardis Lake a success. The event grew larger each year and some estimates of the crowds reached 9,000 attendees (Sansing, 1999). UPD officers were tasked with directing traffic and according to one individual I interviewed, the Union Programming Council helped check ID's to make sure the students attending were at least 18 years old (D. Shaw, personal communication, June 4, 2012; L. Tyner, personal communication, December 16, 2011).

Shrimp and Beer truly was a significant event in the history of the University of Mississippi. It also symbolized the attitudes of college students during its time because "it wasn't unusual for college campuses to put on these type parties in the late 70s" (T. Reardon, personal communication, November 22, 2011) As time progressed, the organizers of Shrimp and Beer began reading and hearing about litigation around the country stemming from injurious accidents at parties similar to Shrimp and Beer. Even though there were no known accidents directly related to Shrimp and Beer, organizers saw a need to cease sponsorship of a party where alcohol was openly provided to students (Sansing, 1999; T. Reardon, personal communication, November 11, 2011). The last year the University of Mississippi sponsored Shrimp and Beer was the spring of 1984 (L. Tyner, personal communication, December 16, 2011).

Though Shrimp and Beer is nearly three decades in the past, everyone I interviewed with firsthand knowledge about Shrimp and Beer provided an initial smile when asked about the

event. Additionally, the perspective about Shrimp and Beer was consistent in that the drinking behaviors of those attending were not abusive in the sense of there being numerous overly intoxicated attendees. It seems, at least from those who attended Shrimp and Beer, the event was “not a big drunk” (L. Tyner, personal communication, December 16, 2011) or an event with lots of people causing problems (J. Trott, personal communication, December 15, 2011). It was more of a time for fun in the sun, a rite of spring, and beer too.

Shrimp and Beer was a significant event in the late 1970s and early 1980s at the University of Mississippi. In terms of events involving alcohol, Shrimp and Beer might have even represented a microcosm of college life in America. Though a consistent perception of Shrimp and Beer was that it was civilly conducted, it was during the late 1970s when a motion picture titled *Animal House* hit the big screen and took the nation by storm. The influence *Animal House* had, and still has, on the drinking environment of college campuses cannot be denied (DeSimone, 2007; Sherwell, 2006; Smith, 2009; Wasylkiw & Currie, 2012). Nearly 35 years after the movie hit the big screen, posters of the movie *Animal House* can be found displayed in the residence hall rooms of college students across the country. One popular poster is a photo of John “Bluto” Blutarisky, played by actor John Belushi, drinking directly from a fifth of whisky. The photo clearly shows Bluto wearing a navy blue sweatshirt with COLLEGE displayed across the front. The film, centered on an unruly group of fraternity brothers, stigmatized fraternity men, and created a negative perception of college life around the country (Wasylkiw & Currie, 2012).

As the drinking atmosphere intensified in the early 1980s, numerous efforts were made to reduce the negative effects of alcohol on college campuses and elsewhere around the nation (Chaloupka & Wechsler, 1995). One of those initiatives was the legal drinking age. During the

years of Shrimp and Beer, the legal drinking age for individuals in Mississippi to drink beer and light wine was 18 years. By 1984 efforts across the country were being made to raise the minimum drinking age. On July 17, 1984, the U.S. Congress passed the National Minimum Drinking Age Act of 1984 that is now part of United States Code, Title 23, titled, Highways. According to the Act, “The Secretary [of Transportation] shall withhold 10 per centum of the amount required to be apportioned [for highways] to any State” (National Minimum Drinking Age Act, 1984) that lawfully allows individuals to purchase or possess beverage alcohol under the age of 21 years. In an effort to keep from losing federal highway funds, states across the country raised the minimum drinking age to 21 years. In Mississippi, the legal age to buy and possess beer was raised from 18 years to 21 years by a legislative act in 1985 (1985 Miss. Laws, 431). The local option liquor law, passed in 1966, already set a minimum age of 21 years to purchase and publicly possess liquor and wine in Mississippi, but the law passed in 1985 made the minimum age of 21 consistent for all types of beverage alcohol (1966 Miss. Laws 1074; 1985 Miss. Laws 431).

The efforts to reduce drunk driving and overall alcohol abuse seemed to help, but by the mid 1990s, Chaloupka and Wechsler (1995) found that even though alcohol abuse in the previous decade fell in the young adult age group, “the same results were not observed among college students” (p.3). Numerous other studies about alcohol and binge drinking were completed throughout the 1990s that raised awareness about “the number one public health problem affecting college students” (Wechsler et al, 2001, p. 203). In addition to the numerous published research findings, there was greater media attention surrounding tragic accidents on college campuses involving alcohol (Ham & Hope, 2002). Tragic events such as student deaths and alcohol-induced riots at Ohio State and Michigan State following athletics events were



reported by national media outlets (Ohio State suspends 10, 2002; Wechsler, Lee, Kuo, & Lee, 2000). Another riot in 1998, by students at Michigan State University, began as a protest about the university's decision to prohibit alcohol at a popular tailgating location. (Student Rioters, 1998). In Oxford, the town where the University of Mississippi is located, the drinking atmosphere probably was not that much different than other colleges and universities across the country. But as the first decade of the new millennium progressed, there was a string of tragic events near or on the campus of the University of Mississippi that led to increased dialogue and change.

#### *Perspective, Dialogue, and Proactive Reactions*

The University of Mississippi, once a suitcase college where many of the students traveled back home at week's end, began to see more students staying in Oxford for the weekends (T. Reardon, personal communication, November 22, 2011). After beer was approved in Oxford in 1973, the establishments serving alcohol slowly began to increase in number (G. Patterson, personal communication, February 2012). As the number of alcohol establishments in Oxford began to increase, the drinking atmosphere in Oxford and at the University of Mississippi changed too. Though perceptions about college drinking at the University of Mississippi may have been formed without solid evidence, a string of incidents in the LOU community solidified for many the idea that the students at UM drank too much. The incidents, some fatal, prompted dialogue and change in Oxford and at the University of Mississippi (D. Sullivan-Gonzalez, personal communication, December 16, 2011). Because this study intends to help decision makers, the events presented are intended to help provide a perspective about the thoughts and feelings of community members in Lafayette County, Oxford, and at UM during the time decisions were made about alcohol and other drugs policies.

The first in a series of tragic accidents occurred shortly after the beginning of spring semester in February 2003. The campus and other community members were shocked to learn of the death of Laura Treppendahl. The 19-year-old student from Baton Rouge, LA, left friends with whom she had been studying and, while driving her car east on Jackson Avenue in Oxford, was hit by another student who was driving his vehicle while intoxicated (Houston, 2003; Smith, 2003; Stewart, 2003). The tragic death of Laura Treppendahl, who had not been drinking the night of the wreck, prompted an alcohol task force to be created and the topic of alcohol to be discussed extensively between the City of Oxford and UM officials (K. Moulds, personal communication, n.d.; R. Howorth, personal communication, January 2012). It was the first tragedy of its kind in many years and the death of Laura Treppendahl would stay with those affected for years to come (L. Tyner, personal communication, December 2011; R. Howorth, personal communication, January 2012). Nearly a decade after the tragic accident, some of those interviewed for this study said that Treppendahl's death affected them greatly and still does today. As a result of initiatives and charges of the alcohol task force, a health educator position was created at UM to help educate students about the dangers of alcohol and other drugs (Schultze, 2003).

When classes began for the fall semester following the death of Treppendahl, a new group of freshmen eagerly began their college careers. One of the unique experiences and opportunities available to students at the University of Mississippi is the possibility of joining a Greek organization. Though it is often thought of as a unique experience, it is commonly perceived and statistically proven that Greek students have more episodes of drinking than non-Greek students (Dean, 2003; DeSimone, 2007). At the University of Mississippi, formal Greek Recruitment is conducted after the fourth or fifth week of fall semester. Bid day 2003 was held

October 6, and many of the students accepting bids into fraternities and sororities spent the afternoon and evening celebrating with fellow members of their respective organizations. One student, accepted a bid from Sigma Chi fraternity and subsequently attended an on-campus dinner followed by an off-campus party with several of his fraternity brothers (Farish, 2003; Sindelar, 2003). The next morning when the student got out of bed, he felt ill. He walked from his residence hall to student health on campus and soon thereafter was transported to the hospital where the prognosis was that he suffered a severe head injury which reportedly caused brain damage (Farish, 2003; “Sigma Chi Pledge Hospitalized,” 2003). An extensive investigation was conducted by Police agencies, the Office of the Dean of Students, and Sigma Chi International Fraternity investigating the cause of the students’s injuries (Farish, 2003; T. Reardon, personal communication, June 2012). The other individuals attending the celebration event were interviewed and no one ever admitted to seeing the student injured or admitted to helping the student get back to his residence hall room. With few answers for public consumption, rumors began to surface and spread. It was rumored that the student, along with other fraternity members, was extremely intoxicated and fell off the top of a building. This rumor probably surfaced because the student’s mother was reported in *The Daily Mississippian* as saying that her son’s injuries were comparable to that of a two-story fall (Sindelar, 2003). Regardless of the facts, it was the perception of the public that alcohol was involved and played a significant role in the severe injuries sustained by the student. The facts of this incident are, to this day, unresolved.

Nearly a year later, and a little more than 18 months after the tragic death of Laura Treppendahl, UM experienced another tragic incident. At around 4:00 a.m. on August 27, 2004, a fire broke out in the basement of the Alpha Tau Omega (ATO) house (Griffin & Stewart, 2004;

Griffin, 2005). Three students were killed as a result of the fire. Rumors about how the fire started and why the three young men could not get out of the house began to spread around campus and around the communities of Oxford and Lafayette County. Rumors of the deceased men being intoxicated and the usage of illegal drugs were hot topics. By mid-October 2004, the Bureau of Alcohol, Tobacco, Firearms, and Explosives released a finding regarding the cause of the fire. Based on the Bureau's investigation the cause of the fire and origin of ignition were undetermined (Brown, 2004). The report released regarding the fire did not include the toxicology reports of the three victims, and the absence of toxicology reports again stirred rumors that alcohol and other drugs may have been involved. It was not until nearly a year to the day later that the Bureau of Alcohol, Tobacco, Firearms, and Explosives released the toxicology reports to local newspapers. The toxicology reports indicated that alcohol and other drugs were found in the samples taken from the victims, but it could not be determined with accuracy that alcohol and drugs were determining factors of why the students did not make it out of the burning house (Griffin, 2005).

As the campus community mourned the tragic loss of three students to an on-campus house fire, for some there was the possibility of an avenue of escape from the harsh reality of death. That escape could have been found in the excitement surrounding college football which was scheduled to begin eight days after the ATO house fire. Each year, the University of Mississippi hosts six or seven football games during the fall semester with crowds that often triple the population of Oxford. The campus has, on occasion, swelled to nearly eight times its enrollment for a single football game and with that number of people descending on Oxford and UM, convenient parking oftentimes can be an issue with which football fans must deal. Prior to the 2004 football season, football fans parked illegally on Mississippi Highway Six were not

cited or towed (Schultze, 2004; R. Howorth, personal communication, January 2012). It was a common occurrence on football game days for drivers of vehicles to park on both sides and in the grassy median of the four-lane highway. On Labor Day weekend 2004, and just eight days after the ATO house fire, the University of Mississippi hosted the University of Memphis for the season opener in Oxford. Walking back to her vehicle parked on Highway Six, 23-year-old graduate student Amie Ewing attempted to cross Highway Six on foot and was struck by a moving vehicle (Newsom, 2004; Stewart, 2004). The former UM Volleyball player died from injuries sustained after being struck by the vehicle. The driver of the vehicle, 19-year-old student Dustin Dill, was charged with Aggravated DUI. Toxicology reports from blood samples taken shortly after the wreck showed Dill registered a blood alcohol content of 0.12 (Stewart, 2004b). In addition to the driver being under the influence of alcohol, it was reported that the victim, Ewing, registered a blood alcohol content of 0.13 at the time she was struck by the moving vehicle (Waterman, 2006a).

Within a span of roughly 20 months, there had been five student deaths and another student severely injured in accidents on or in close proximity to the Oxford campus that may have involved alcohol and other drugs. It has been confirmed that alcohol played a part in at least some of these incidents, but more importantly, it was the perception of the LOU community that alcohol was involved. Some of the townspeople have thought for many years that students at UM often drink too much (J. Trott, personal communication, December 15, 2011). After the many tragedies, the perception of the LOU community was that student drinking was as bad as it ever had been and the town and gown relationship was beginning to fray.

At UM and in Oxford, there are two main areas that are known for heavy drinking. Those two areas are the Oxford Square and the Grove on football game days. What these two

areas have most in common is that both are very concentrated areas where alcohol is consumed. To be clearer, a significant number of the on-premises beer and liquor permits are issued to businesses located within a half mile radius of the Oxford court house, and on football game days much of the drinking takes place within a ten acre area known as the Grove.

The Grove, historically, has been an important piece of the UM culture. Traditionally, the Grove was a place where fans attending football games parked their cars under the towering oaks and hickory trees to literally tailgate, or picnic and fellowship, with each other before the Rebel football team took to the field (Football Tips, 1992; Positive Response, 1992; Walton, 2008). The Homecoming game against Vanderbilt on October 26, 1991, was the last football game tailgaters were allowed to park cars in the Grove (R. Knight, personal communication, May 30, 2012) A rain-soaked surface left the Grove rutted and muddy after Homecoming 1991, and a week of torrential rains prior to the first home game in 1992 led Alumni Association and Physical Plant Department personnel to make a decision to prohibit vehicles in the Grove (T. Walsh, personal communication, May 15, 2012). The decision to close the Grove to vehicles “was a fortuitous [one] that forever changed game day on campus” (T. Walsh, personal communication, May 15, 2012). Without the tailgates of vehicles, picnickers returned to their usual spots in the Grove with small tables or blankets on the ground to fellowship prior to football games. On one occasion, an alumnus indicated he had been tailgating or picnicking around the same vicinity of the Grove for nearly 60 years. Within a decade of cars being prohibited in the Grove, shade tents or pop-up tents were being brought to the Grove by picnickers. The idea of having a tent to shade the picnic area from the sun caught on quickly (Hamilton, 2006).

During the early part of the 21st century, the popularity of the Grove grew significantly. The publicity about the Grove also began to increase and television stations such as ESPN and print publications like *Sports Illustrated* and the *New York Times* ran articles about the game-day atmosphere in the Grove (Walton, 1998). Part of that atmosphere included, and still includes to this day, the use of alcohol (Hamilton, 2006).

As the publicity of the Grove continued to increase, so did the number of attendees and the amount of alcohol consumed in the Grove. The success of the 2003 UM football team led to increased attendance at games and increased revelry in the Grove. During the next three football seasons, the Grove continued to morph into less of a family atmosphere (Parham, 2006). It seemed that many thought the Grove was out of hand and essentially a place where drunkenness and crude behavior were not only welcomed, but expected. The sentiment was exacerbated in the summer of 2006 when a UM spokesperson was quoted in Memphis's *The Commercial Appeal* explaining the many instances of drunkenness in the Grove. The spokesperson was quoted as saying, "What started out a pleasant family-style picnic experience has gradually evolved to the point where there is now far too much unacceptable behavior. Last year I witnessed middle-aged men urinating in public" (Doniach, 2006, p. B5).

In early June 2006, during a meeting of UM's football game day planning committee—a committee on which I serve--the chairperson asked the Office of the Dean of Students to work with the individual fraternities and sororities in a proactive approach regarding behavior in the Grove (A. Mullins, personal communication, June 1, 2006). Student behavior in the Grove was addressed with the fraternities during the annual Interfraternity Council (IFC) presidents and advisors meeting in August 2006 (C. McCracken, personal communication, August 24, 2006).

There was no doubt the sentiment was that student drinking was beyond acceptable and an effort to quell the behavior was underway.

The UM Rebel football team opened the 2006 season against the University of Memphis on Labor Day weekend. ESPN televised the game and scheduled the telecast for Sunday afternoon. Sunday alcohol sales were illegal in Oxford, but City officials voted to allow alcohol sales this particular Sunday because of the scheduled football game (Waterman, 2006b). Many churches objected, citing church services and the extra long weekend created by the holiday. A local minister was quoted by the *Oxford Eagle* as saying, “There hasn’t been an August and September so far that I haven’t had to bury a college student” (Schultz, 2006). Adding to the fears of many, UM again had been named by the Princeton Review as a top-five party school (Franek & Meltzer, 2006; Whitten, 2006a).

Throughout the months of September and October, articles were written and letters to the editor were published in newspapers complaining about the Grove and the behaviors of UM students (Mills, 2006; Schultz, 2006; Waterman, 2006b; Whitten, 2006a; Whitten, 2006b). *Oxford Eagle* columnist Don Whitten (2006b) wrote an opinion column citing the eventual demise of “a good thing.” One UM employee wrote to the editor of the *Oxford Eagle* about the horrible smell and puddles of urine around her office or classroom building on Monday mornings after home football games (Watson, 2006). The thoughts and feelings seemed to be solidified by factual evidence as forty people were arrested on campus the last weekend in September when the University of Georgia football team played UM in Oxford (R. Hawkins, personal communication, October 2, 2006).

It was at that same time that the Office of the Dean of Students was receiving emails from alumni and friends of UM complaining about the atmosphere in the Grove. One person



wrote to complain about the individuals in a tent identified as members of Sigma Phi Epsilon. She wrote, “they helped themselves to our food and beverages before the game” and after the game they “were obnoxiously loud and using foul language. They began throwing beer cans at us” and “when I asked them to stop I was called a slut” (D. Ross, personal communication, September 4, 2006).

By the end of September 2006, three football games had been played in Oxford including the game played September 30 against the University of Georgia. A week after the Georgia game, Vanderbilt was scheduled to play football in Oxford. In response to the many emails and calls of concern, a meeting was scheduled to take place in the ballroom of the Ole Miss Union. Only a small number of people attended the meeting but it began a dialogue about how to get the Grove back to a family atmosphere.

It probably could not be determined accurately whether or not the alcohol and drug usage of UM students was more severe by 2006 than in previous academic years, but the perception of the community indicated it was far past the point of being acceptable. Many were ready for a change in the drinking atmosphere. One such person wrote a letter to the editor of *The Oxford Eagle* titled “Chancellor Khayat, It’s Time” (Parsons, 2006). The letter, which called for Chancellor Khayat to make executive decisions for a safer environment, ironically, was published less than 90 hours prior to another tragic event near the campus of the University of Mississippi (Parsons, 2006). Though the newspaper articles and letters to the editor created a dialogue and formed public perception it was the death of a sixth member of the UM community that brought about the most change.

During the early morning hours of October 21, 2006, a UPD officer, patrolling the north end of Fraternity Row, initiated a routine traffic stop and radioed for assistance (Bright & Nero,

2006; M. Thompson, personal communication, March 1, 2007). UPD K-9 officer Robert Langley assisted the officer who had the vehicle in question stopped just a few hundred feet from campus at a convenience store and gasoline station. According to the officer who initiated the traffic stop, the student, Daniel Cummings, when asked for his proof of insurance, retreated back into his car and began to leave the scene (Bright & Nero, November 30, 2006 pp. 1, 4, & 7; personal communication, M. Thompson, February 2007). Officer Langley reacted quickly and attempted to keep Cummings from leaving the scene by inserting his body into the moving vehicle in an effort to stop the driver. Officer Langley was unsuccessful in trying to stop the Cummings from fleeing and eventually fell from the moving vehicle 200 yards down West Jackson Avenue (Nero, 2006b). Cummings fled to an off-campus apartment as police agencies searched the area (J. Williams, personal communication, February 2012).

Officer Langley suffered multiple head injuries as a result of the fall and was rushed to the Regional Medical Center at Memphis, Tennessee (Nero, 2006a). Officer Langley's wife and a family pastor arrived at the hospital in Memphis shortly after the ailing officer arrived and were by his side as he took his last breath (Fuston, 2012). The 33-year old police officer had recently returned from tours in Iraq and Afghanistan and at the hands of a 19-year-old student again had left his wife and four children; only this time it was permanently.

As police continued to search, family members and those close to Cummings gave Oxford Police Department (OPD) investigators information about where he was believed to be located (J. Williams, personal communication, February 2012). As investigators arrived at the apartment, they found the Cummings's truck wrecked in a nearby ditch. The officers were able to apprehend Cummings without struggle and he was charged with capital murder and denied bond (Bright & Nero November 30, 2006; J. Williams, personal communication, February

2012). Nearly a year later, on October 15, 2007, Cummings pleaded guilty to a reduced charge of manslaughter and sentenced to 20 years in prison (Buser, 2007). Initially, he served time at the Marshall County Correctional Facility in Holly Springs, Mississippi; but after testing positive for marijuana twice, he was transferred to the Mississippi State Penitentiary in Parchman and currently is housed “in Unit 29, which also holds death row inmates” (Fuston, 2012, p. 36).

### *Action and Change*

The tragic death of Officer Langley “represented the tipping point toward community action” (Sullivan-González & Juergen, 2007) and prompted UM to respond immediately. Numerous articles were published in local newspapers regarding the alleged drinking problems at UM and some even called for UM to “engage in deep soul searching” (“Another Tragedy,” 2006, p. 5B). But it was an article written by Errol Castens on Tuesday October 24, 2006 that sparked an even greater urgency for action and change (T. Reardon, personal communication, July 16, 2012). Castens’s article read much like a script and named one character “Oxford-Ole Miss.” The script-like article was set at a group-therapy session for alcoholics where Oxford-Ole Miss was the newest member of the group. Throughout the entire article, the moderator and other group members urge Oxford-Ole Miss to think about its highlights and also its sullied past regarding alcohol. After some discussion, the article closes with the moderator telling Oxford-Ole Miss, “But you do lots of harm. And recovery doesn’t start until you admit your problems.” Oxford-Ole Miss stutters and finally the moderator says, “You can say it” to which Oxford-Ole Miss responds, “Hi. I’m Oxford-Ole Miss and I... I’m an alcoholic” (Castens, 2006, p. 2A).

One of the first actions by UM was the creation of another alcohol task force chaired by Dr. J. Edward Hill, “an alumnus and immediate past president of the American Medical Association” (R. C. Khayat, email, October 30, 2006). In an electronic mail message to the

Alcohol Task Force, Chancellor Robert Khayat spoke of the need to “change a culture that seems to encourage alcohol abuse and violation of alcohol laws” (R. C. Khayat, email, October 30, 2006).

As the Chancellor was forming the Alcohol Task Force, a simultaneous effort was being made to introduce a new policy for alcohol and other drug violations. One of the most publicized, criticized, and applauded changes to UM’s policies on alcohol was the implementation of a minimum-sanctions policy, which became commonly known as the Two-Strike policy (Beene, 2006; Blalock, 2006; Kress, 2006; Smith, 2006; “WAIT!,” 2006) . In practice, a student who has a second alcohol or other drug offense in a stated time period would be suspended from UM for at least one semester.

The idea and some of the language in the policy was taken from a similar policy the University of Georgia implemented a little more than two months before Officer Langley’s death (Beard, Aaron, August 27, 2006, USA Today p.1.; T. Reardon, personal communication, October 30, 2006). It was Dean of Students Sparky Reardon who first recommended the policy to Chancellor Robert Khayat (T. Reardon, personal communication, November 22, 2011). Chancellor Khayat agreed it would be a good policy to implement and asked Reardon to implement a similar policy (T. Reardon, personal communication, October 27 2006). On Monday, October 30, 2006, a little more than a week after Officer Langley’s death, Sparky Reardon, University Attorney Lee Tyner, and I spent several hours in the conference room of the Office of the Dean of Students hashing out scenarios and trying to find the language for the new policy that would work well for UM. Tyner did much of the legwork on the language used and drafted a minimum sanctions policy that was clearly outlined, and educational in nature.

Amid uproar from the entire LOU community and push back from the student population, the Two-Strike policy went into effect November 1, 2006 (Beene, 2006; Blalock, 2006; Kress, 2006; Smith, 2006; “WAIT!,” 2006). The overall objective behind implementing a minimum-sanctions policy was to help protect and educate the UM community and change the culture of alcohol at the University of Mississippi (L. Tyner, personal communication, October 2006).

Though the Two-Strike policy was first implemented in November 2006, it was initially an interim policy pending further recommendation and approval from the Alcohol Task Force and by Chancellor Khayat. The language of the original Interim Policy for Minimum Sanctions for Alcohol and Other Drug Violations can be found as Appendix III. During spring semester 2007, the Alcohol Task Force presented numerous recommendations to Chancellor Robert Khayat, including making the Two-Strike policy permanent. Included among those recommendations was a suggestion to change not only how UM addressed alcohol and other drug violations (Two-Strike Policy) but also a suggestion to amend UM’s policy on alcohol.

The idea of making a change to the alcohol policy was one of the suggestions before the Alcohol Task force and one that had been discussed for several months (Dillingham, 2007; Nero, 2007). The campus was dry by policy but enforcement was difficult. Allowing for the lawful possession and consumption of alcohol would not only provide UM an opportunity to discuss responsible behavior, especially as it relates to drinking, but it also would provide a much easier avenue for enforcement by allowing police officers to make judgment calls based mainly on poor behavior. As with most changes, there were challenges. Some of the challenges discussed included the following: the policing and observance of local laws; questions about alcohol in fraternity and sorority houses; alcohol in residence halls; the availability of alcohol during on-campus functions such as faculty and staff receptions; and many others. Also, before a

significant change in policy could occur, several administrators wanted the state legislature to amend and, ultimately, clarify state law.

Since the establishment of the Local Option Beverage Control Law in 1966, most everyone thought state law prohibited alcohol on all public campuses (“Liquor Referendum Polling Set,” 1966). Prior to 2007, the statute read:

The Alcoholic Beverage Control Division shall not allow the sale or consumption of alcoholic beverages in or on the campus of any public school or college, and no alcoholic beverage shall be for sale or consumed at any public athletic event at any grammar or high school or any college. (Miss. Code Ann, §67-1-37(g), 2005)

Many college and university administrators in Mississippi interpreted this particular part of the statute to mean a strict prohibition against all beverages containing alcohol. Others interpreted the statute differently because of its location in the Code and probably more accurately, as a prohibition of retail permits on college campuses (L. Tyner, personal communication, March 9, 2011 & December 2012). To my knowledge, it was not until fall 2004 that any of the state’s public institutions challenged the interpretation of a strict prohibition.

During fall semester 2004, Mississippi State University added one word to its policy on alcohol (Crisp, 2004). According to Mike White, Dean of Students at Mississippi State University in 2004, “We simply inserted the word UNLAWFUL in the student policy. So our practice and policy are in agreement - we now enforce the unlawful possession, consumption, or distribution of alcohol on campus by students” (M. White, personal communication, February 25, 2005). The rumored reasoning about how Mississippi State balked at the law and changed its policy was that Mississippi State claimed it was a university and not a “college or school” as outlined within the statute (Nero, 2007; L. Tyner, personal communication, 2007). Others

thought it was a poor argument and the real argument was the location of the language in the Code that apparently prohibited alcohol on college campuses. Mississippi Code Annotated 1972, §67-1-37 outlines the powers of the Alcoholic Beverage Control (ABC) Commission specifically as it relates to the issuance--or refusal to issue--permits to sell alcoholic beverages such as liquor and wine.

The most likely reason for a potential misinterpretation of the language used was the usage of the words *sale* and *consumption*. The language of the statute, as interpreted by some, used both words to describe two different types of retail permits. The sale of alcoholic beverages refers to a transaction in a permanent establishment such as a liquor store. According to the statute, a permit for a liquor store on any public campus should be denied by the ABC (Miss Code Ann. §67-1-37, (1972)).

The use of the word *consumption* seems straightforward, but *consumption*, as it is used within this section of the statute, means to offer alcoholic beverages by the drink in a permanent establishment such as a restaurant or bar (Miss Code Ann. §67-1-37, (1972)). According to the statute (Miss Code Ann. §67-1-37, (1972)), the ABC Commission would not issue a permit to sell or offer beverages containing alcohol in any dining facility, restaurant, or bar located on campus.

The legislature clarified the language used within the statute during the winter of 2007 (2007 Miss. Laws 1009). As the legislature worked on the language of the statute, I worked with University Attorney Lee Tyner and Dean of Students Sparky Reardon as we discussed scenarios and made decisions about how to best move forward and write a comprehensive policy on alcohol.

As with the Minimum Sanctions or Two-Strike policy, Tyner took on much of the legwork of drafting the language of the proposed changes to UM's policy on alcohol. After much work and the approval of Chancellor Khayat, I posted a revised policy on alcohol to the University of Mississippi's Policy Directory. From the time the doors opened in November 1848 until April 9, 2007, the campus was, by either law or policy, a dry campus. By posting the revised policy on alcohol, which allowed for the lawful possession of beverages containing alcohol, the University of Mississippi was no longer a dry campus. For all practical purposes, the University of Mississippi was a wet campus by policy and law. But as one takes a closer look, it is difficult to call the University of Mississippi a completely wet campus because not all types of alcohol are allowed on campus.

As mentioned previously within this chapter, the guidelines set forth in the Mississippi Code distinguished between two types of beverages containing alcohol: those "not more than 5% by weight"--most commonly beer--and those "more than 5% by weight" (1934 Miss. Laws 392; 1966 Miss. Laws 1074; 1998, Miss. Laws 28). As previously stated, Lafayette County passed a beer referendum in 1944 that made the sale and public possession of beer within the county illegal ("Beer Banished In Special Election," 1944). In 1973, the City of Oxford passed a beer referendum overturning the 1944 beer vote but only within the city limits (Marble, 1973). No other beer referendums have been passed since 1973 and the sale and possession of beer in Lafayette County, outside the city of Oxford, remains illegal.

Though beer is illegal by Lafayette County law, a liquor referendum was held and passed in August of 1966 ("8 Seek Liquor Permit," 1966). Between August 1966 and May 1973, when Oxford legalized beer, the laws of Lafayette County and Oxford were similar in that liquors and wines were legal, but beer and light wines were illegal (E. Perry, personal communication,



March 23, 2012). Though Oxford legalized beer in 1973, the laws regarding beverage alcohol in Lafayette County have been unchanged since 1966. With the possibility of a change to UM's policy on alcohol, one of the more difficult aspects addressed was that most of the campus lies within the confines and jurisdiction of Lafayette County: therefore liquor is legal but beer is illegal. It was apparent even in the early stages that educating the students and the greater community would be a key aspect for the policy change to be successful.

Once UM's policy on alcohol was changed, much was written about it in the local press, and many student opinions were voiced in the student newspaper, *The Daily Mississippian*. A popular misconception was that UM itself made a poor decision by implementing a policy that was backwards and confusing rather than the two separate laws of Lafayette County being the culprit of the confusion (Hiatt, 2007). Even after *The Daily Mississippian* printed an explanation stating the policy followed Lafayette County laws, students and community members alike continued to talk about UM creating a policy that allowed liquor but not beer (Orozaliev, 2007). Even as late as 2010, a student wrote a column in *The Daily Mississippian* about the alcohol policy stating, "In the spirit of correcting all of our traditions that do not make sense, the administration should finally revisit the no beer law" (McGraw, 2010). Regardless, UM, since the implementation of both policies, has put forth a significant effort to educate students about the dangers of illegal and abusive drinking. Part of that education included information about not only UM's policy on alcohol but also the Two-Strike policy.

A change to Mississippi liquor laws occurred during the writing of this dissertation and is noted here to provide clarity to the reader. In April 2012, Mississippi Governor, Phil Bryant, signed into law a bill to raise the alcohol content threshold for beer. The bill "amended section 67-3-3 of Mississippi Code of 1972, to increase the permissible alcoholic content of beer from

5% of alcohol by weight to 8% of alcohol by weight” (Miss. S.B. 2878 (2012)). According to the amended language of the statute:

“Beer” means a malt beverage as defined in the Federal Alcohol Administration Act...of an alcoholic content of not more than eight percent (8%) by weight; and “light wine” means wine of an alcoholic content of not more than five percent (5%) by weight. (Miss. S. B. 2878 (2012))

Furthermore, the act did not amend the five-percent alcohol content by weight threshold for wines and liquors; the act only affected malt beverages commonly known as beer. Additionally, the act of 2012 did not affect whether or not beer was legal in Lafayette County and any type of malt beverage known as beer remains unlawful on most parts of the UM campus.

### *Conclusion*

As found within this chapter, the decisions to make changes to alcohol and other drugs policies at the University of Mississippi cannot be attributed to an anomaly conceived during the course of fall semester 2006. The feelings that student drinking was beyond acceptable were created over a period of several years. The editorial board of *The Daily Mississippian* summed it up best when it wrote, “The storm that has been fervently brewing in the distance, concerning University of Mississippi students behavior, is now upon us. In a flash life was lost, and we as students must examine our own decisions and the consequences which result” (Doyle, Schuh, McClure, Palconi, & Rodriguez, 2006, p. 2). It was the injuries and loss of life noted within this chapter that created an atmosphere of sadness, anger, and frustration that led to awareness and change.

The extensive historical perspective presented within this chapter is intended to provide a better understanding about why changes were made to policies and practice at the University of

Mississippi. The implementation of policy, and the resulting triumphs and struggles will be addressed in Chapter VII of this study. With the implementation of the Two-Strike policy, the study would be remiss if a quantitative data analysis was not presented regarding the possible effects the policy had on the conduct of students at the University of Mississippi. Chapter V will present quantitative data as it relates to alcohol and other drug violations by students at the University of Mississippi.

## CHAPTER V

### QUANTITATIVE DATA ANALYSIS

#### *Introduction*

Chapter IV provided an historical perspective regarding the decisions about why the University of Mississippi chose to make changes to policies concerning alcohol and other drugs. An important piece to this study is providing the reader with quantitative data that may be used to make inferences about what changes in behavior could be attributed to the implementation of new policy language. Provided within this chapter is data mined by the Office of the Dean of Students at the University of Mississippi regarding numbers of alcohol and other drug violations. The data for each academic year was compared to enrollment data at the University of Mississippi to derive the proportion of alcohol and other drug violations for each academic term or year. The proportions then were compared using Z-Tests to determine if significant changes in alcohol and other drug violations occurred over time. The prospectus for this study indicated that Chi Squared tests would be used to determine statistical significance. After interacting with the data I felt more comfortable using and presenting the results of Z-Tests for proportions. According to Chance and Rossman (2005) the same results can be found using either statistical test. What follows is information about the data used and the results of the statistical tests.

#### *About the Data*

At the University of Mississippi, the student conduct system encompasses all non-academic conduct cases, regardless of where the incident occurs on campus. Even though an

incident occurred in or around a residence hall and the adjudication process was addressed by the Department of Student Housing and Residence Life (Housing), the incident is addressed using the same procedure that is used for cases addressed by the Office of the Dean of Students. There is one student conduct process at the University of Mississippi. Having only one process for non-academic conduct violations allows for consistency in both the adjudication process and the compiling of useful data.

Prior to fall semester 2007, the University of Mississippi kept and tracked data regarding student conduct cases by using spreadsheets that were updated daily. At the beginning of fall semester 2007, UM implemented an online system to adjudicate and track all student conduct cases. An advantage of using an online conduct system is the opportunity to easily mine data for all cases of non-academic student conduct. The data available for use in this study begins at fall semester 2004 and ends with spring semester 2012. At the time of this study, the 2012 academic year was incomplete; therefore the data for the 2011-2012 academic year is incomplete.

Additionally, the spreadsheet kept by the Department of Student Housing and Residence Life with data reflecting violations during fall semester 2006 is unavailable and is not reflected in the number of conduct cases shown for fall 2006 in Table 1. Otherwise, all data presented in Table 1 is complete and accurate. The data in Table 1 is presented as a counting of alcohol and other drug student conduct violations at the University of Mississippi. Though the Two-Strike policy also applies to registered student organizations, this study focused only on individual student violations.

Table 1

*Alcohol and Other Drug Violations*

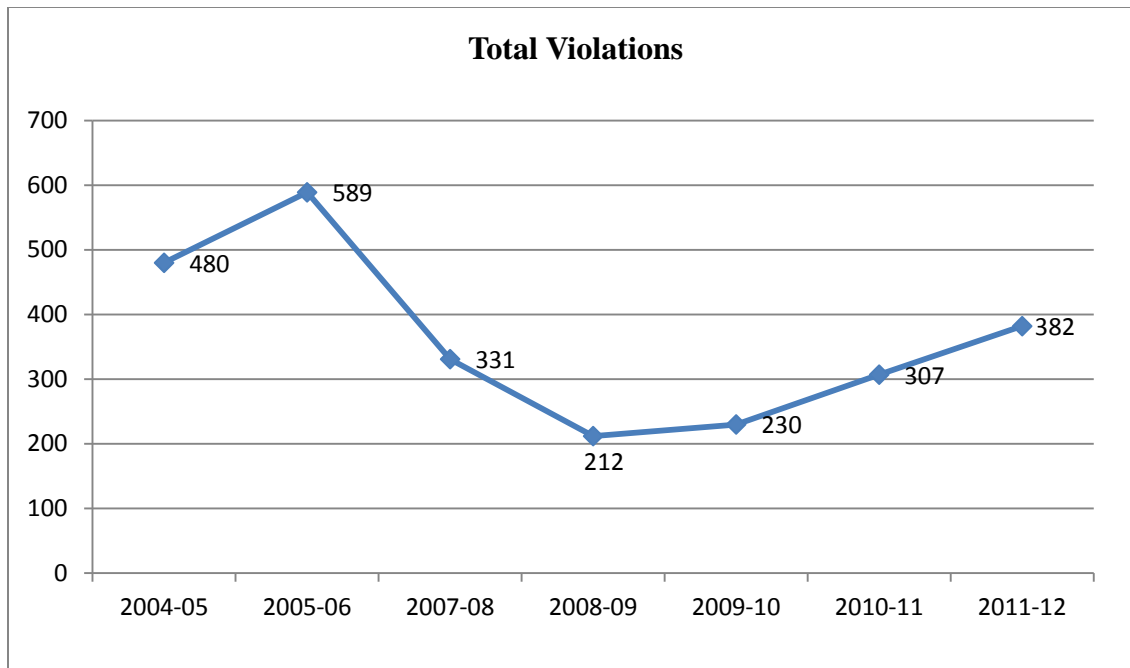
Year/Term	Alcohol	Other Drugs	Total	Yearly Total
2004-2005	429	51	480	480
2005-2006	568	21	589	589
Fall 2006	69	27	96	
Spring 2007	188	45	233	--
Fall 2007	145	14	159	
Spring 2008	89	30	119	
Sessions 2008	42	11	53	331
Fall 2008	135	29	164	
Spring 2009	32	10	42	
Sessions 2009	4	2	6	212
Fall 2009	109	21	130	
Spring 2010	65	16	81	
Sessions 2010	11	8	19	230
Fall 2010	81	31	112	
Spring 2011	127	39	166	
Sessions 2011	20	9	29	307
Fall 2011	164	32	196	
Spring 2012	153	33	186	
Sessions 2012	--	--	--	382

Note. Data listed for fall 2006 is incomplete and only includes violations adjudicated by the Office of the Dean of Students

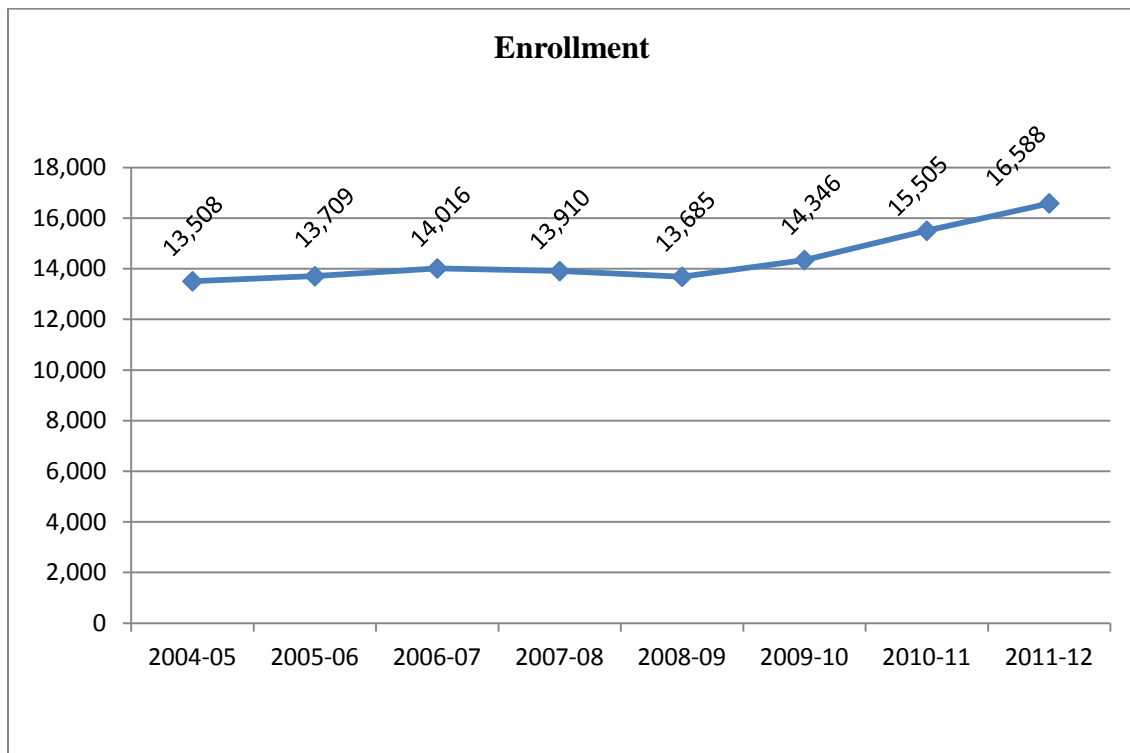
Beginning at the 2007-2008 academic year, the data is divided into three categories: fall; spring; and sessions. The data is reflective of the number of adjudicated violations during fall semester and spring semester. The data labeled “sessions” is reflective of the number of students found responsible for an alcohol or other drug offense during one of the extraordinary terms offered by the University of Mississippi. Those terms are as follows: winter intersession; May intersession; first summer session; second summer session; and August intersession. Reflected in Table 1 are the number of violations adjudicated during the summer terms and three extraordinary intercessions. At the time of this study, the total number for “Sessions 2012” was unknown because the summer terms were in progress.

### *Results*

There is strong evidence supporting a relationship between the implementation and amendments to alcohol and other drug policies at the University of Mississippi and a reduction in the number of alcohol and other drug related violations. Between academic year 2005-2006--the academic year prior to the implementation of the Two-Strike policy--and academic year 2010-2011, the number of violations decreased from 589 to 307. Additionally, enrollment at UM increased from 13,709 in 2005-2006 to 15,505 in 2010-2011. Even though the number of alcohol and other drug violations decreased between 2005-2006 and 2010-2011, the graph in Figure 1 clearly indicates a trend of increased violations after the conclusion of the 2008-2009 academic year. To reduce confusion, please note that in Figure 1, data for the 2006-2007 academic year was omitted because the data is incomplete. Looking at Figure 2, it also is important for the reader to understand that even though the number of conduct violations began to increase after the 2008-2009 academic year, so too did enrollment.



*Figure 1.* Total Violations 2004-05 to 2011-12.



*Figure 2.* Enrollment 2004-05 to 2011-12.



Without static enrollment over time, further statistical analyses are needed. An argument could be made that changes to enrollment at the University of Mississippi had an effect on the number of alcohol and other drug violations. To better understand the data, I tested the following null hypothesis: There is no significant difference in the percentage of alcohol and other drug related student conduct violations between academic years 2004-2005 and 2010-2011 at the University of Mississippi.

Even though the main focus of this study is alcohol, the Two-Strike policy also applies to other drug violations. The data regarding other drug violations are included to provide a comprehensive perspective and more adequately fulfill the purpose of this study. The statistical tests utilized and presented in this chapter analyzed the data using three perspectives. The first perspective analyzed the data using the number of violations for both alcohol and other drugs. Test 1, Test 2, Test 3, and Test 4 reflect data used for both alcohol and other drug violations. The second perspective analyzed the data using only alcohol violations. The results using this perspective are found in Test 5, Test 6, Test 7, and Test 8. Finally, the third perspective analyzed the data using only other drug violations. The results using the third perspective are found in Test 9 and Test 10.

To adequately test the stated null hypothesis and compare the percentage of alcohol related student conduct cases over time, I determined the best way to test the hypothesis was to use the corresponding proportions of each percentage. Using proportions allowed for the implementation of Z-Tests for Proportions (Hinkle, Wiersma, & Jurs, 2003). Table 2 below shows the data in whole numbers with the corresponding proportions of violations to enrollment. Enrollment data was gathered from the University of Mississippi's department of Institutional Research and Assessment. Enrollment data, accessed from the University of Mississippi's

Office of Institutional Research, reflects headcounts for fall semesters of both graduate and undergraduate students on the Oxford campus. Using enrollment data for both graduate and undergraduate students on the Oxford campus accurately reflects the proportion of alcohol and other drug violations because graduate student violations also are included in the data reflected in Table 1 and Table 2.

Table 2

<i>Proportion of Alcohol and Other Drug Violations</i>				
Year/Term	Enrollment	Alcohol	Drugs	Alcohol and Other Drugs
2004-2005	13,508	0.03176	0.00378	0.03553
2005-2006	13,709	0.04143	0.00153	0.04296
2006-2007	14,016	--	--	--
2007-2008	13,910	0.01984	0.00395	0.02380
2008-2009	13,685	0.01250	0.00300	0.01549
2009-2010	14,346	0.01290	0.00314	0.01603
2010-2011	15,505	0.01470	0.00510	0.01980
2011-2012	16,588	0.01911	0.00392	0.02303

Note. Yearly totals include the number of alcohol and other drug violations. Information presented for 2011-2012 is incomplete and includes data for fall and spring semesters only.

Because there is a lack of consistency in the increase and decrease of proportions of alcohol and other drug related offenses over time, multiple Z-Tests were utilized for numerous scenarios. The stated hypothesis asks if there is a significant difference in the proportions. A two-tailed test was utilized to test for a significant difference. The study used an alpha level of 0.05 or a 95% confidence interval; therefore, the corresponding critical value for a two-tailed Z-Test is +/-1.96 (Hinkle, Wiersma, & Jurs, 2003). If the value found for Z was greater than 1.96

or less than -1.96 the stated null hypothesis that there is no significant difference was rejected in favor of an assumption that a statistically significant difference existed (Hinkle, Wiersma, & Jurs, 2003).

#### *Test 1*

The first test for this study compared the proportion of alcohol and other drug related violations during the 2004-2005 academic year to the proportion of violations during the 2010-2011 academic year. The data listed in Table 3 was used for Test 1.

Table 3

#### *Test 1*

Academic Year	Enrollment	Violations	Proportion
2004-2005	13,508	480	0.0355
2010-2011	15,505	307	0.0198
Critical Value	Z-Score	Result	
+/- 1.96	8.2632	Reject the null.	

Note. Test 1 includes data regarding both alcohol and other drug violations.

A Z-Score of 8.2632 indicates there is a significant difference in the proportion of student alcohol and other drug violations at the University of Mississippi between 2004-2005 and 2010-2011. Using the data available in tables 1, 2, and 3, one can clearly see there was a reduction in both the number of violations and the proportion of violations between 2004-2005 and 2010-2011.

#### *Test 2*

Test 1 used data for violations occurring prior to the implementation of the Two-Strike policy at the University of Mississippi. Further analyzing the data, Test 2 included data from the first full academic year of implementation for both the Two-Strike policy and the amended

policy on alcohol. The Two-Strike policy was implemented beginning November 1, 2006. The University also amended its policy on alcohol in April 2007 to allow for the lawful possession of alcohol on campus. Fall semester 2007 began the first full academic year for both policies. The data and results of Test 2 are reflected in Table 4 below.

Table 4

<i>Test 2</i>			
Academic Year	Enrollment	Violations	Proportion
2007-2008	13,910	331	0.0238
2010-2011	15,505	307	0.0198
Critical Value	Z-Score	Results	
+/-1.96	2.3529	Reject the null	

Note. Test 2 includes data regarding both alcohol and other drug violations.

Using a critical value of +/-1.96, the calculated Z-Score of 2.3529 for Test 2 indicates the null hypothesis should be rejected. According to the results of Test 2, there is a significant difference between the proportion of violations in 2007-2008 to that of 2010-2011.

### *Test 3*

Academic year 2005-2006 was the first full academic year prior to the implementation of the Two-Strike policy. The data provided in Table 1 and Table 2 indicates the lowest number and the lowest proportion of violations occurred in academic year 2008-2009. To test if a significant difference occurred after the implementation of the Two-Strike policy, I used the data available for both the 2005-2006 and 2008-2009 academic years. The results of the test are provided in Table 5.

Table 5

*Test 3*

Academic Year	Enrollment	Violations	Proportion
2005-2006	13,709	589	0.04296
2008-2009	13,685	212	0.0155
Critical Value	Z-Score	Result	
+/-1.96	13.4946	Reject the null	

Note. Test 3 includes data regarding both alcohol and other drug violations.

A Z-Score of 13.4946 indicates there is a significant difference in the proportion of alcohol and other drug violations between the 2005-2006 and 2008-2009 academic years. Using the data provided in Table 1 and Table 2, one can verify a decrease in violations occurred between the academic years tested; therefore, one can assume a statistically significant decrease occurred after the implementation of the Two-Strike policy.

*Test 4*

Since the 2008-2009 academic year, the University of Mississippi experienced an increase in the number of alcohol and other drug violations. The University of Mississippi also experienced an increase in its enrollment which could be attributed to the increase in the number of violations. To make further inferences about the data, I thought it was important to test if the increase in proportion of alcohol and other drug violations was statistically significant. Remaining consistent with the stated null hypothesis, I decided to test for a significant difference first rather than a significant increase. If a significant difference was found using the test statistic +/- 1.96, it also could be assumed a significant increase existed. A Z-Test again was utilized for the data, and the test produced the results found in Table 6.

Table 6

*Test 4*

Academic Year	Enrollment	Violations	Proportion
2008-2009	13,685	212	0.0155
2010-2011	15,505	307	0.0198
Critical Value	Z-Score	Result	
+/-1.96	-2.7806	Reject the null	

Note. Test 4 includes data regarding both alcohol and other drug violations.

The results of Test 4 indicate there is a significant difference between the proportion of alcohol and other drug violations in 2008-2009 and those in 2010-2011. As previously stated, the finding of a significant difference also means a significant increase occurred. If the test was for a significant increase a critical value of -1.645 would have been utilized. The calculated Z-Score of -2.786 falls within the range of rejection, therefore resulting in a significant increase in the proportion of alcohol and other drug violations between 2008-2009 and 2010-2011.

*Test 5*

Test 1, Test 2, Test 3, and Test 4 were used to test whether a significant difference occurred in the proportion of alcohol and other drug related violations. Test 5, Test 6, Test 7 and Test 8 included data for alcohol violations only. Test 5 compared the data for both 2004-2005 and 2010-2011 academic years. Using a Z-Test for proportions, the following data and results are shown in Table 7.

Table 7

*Test 5*

Academic Year	Enrollment	Violations	Proportion
2004-2005	13,508	429	0.0318
2010-2011	15,505	228	0.0147
Critical Value	Z-Score	Result	
+/-1.96	9.7515	Reject the null.	

Note. Test 5 includes data regarding only alcohol violations.

The resulting Z-Score of 9.7515 shown in Table 7 is greater than the critical value of 1.96; therefore, an assumption can be made that the null hypothesis should be rejected and that a significant difference does exist between the proportion of alcohol violations in 2004-2005 and the proportion of alcohol violations in 2010-2011.

*Test 6*

Similar to that of Test 1, Test 5 included data for alcohol violations occurring prior to the implementation of the Two-Strike policy at the University of Mississippi. Test 6 included data from the first full academic year of implementing both the Two-Strike policy and the amended policy on alcohol. The Two-Strike policy was implemented beginning November 1, 2006. The University also amended its policy on alcohol in April 2007 to allow for the lawful possession of alcohol on campus. Fall semester 2007 began the first full academic year for both policies. The data and results of Test 6 are reflected in Table 8 below.

Table 8

*Test 6*

Academic Year	Enrollment	Violations	Proportion
2007-2008	13,910	276	0.0198
2010-2011	15,505	228	0.0147
Critical Value	Z-Score	Result	
+/-1.96	3.3896	Reject the null.	

Note. Test 6 includes data regarding only alcohol violations.

The Z-Score of 3.3896 found in Test 6 indicates there is a significant difference between the proportion of alcohol related violations between 2007-2008 and 2010-2011.

*Test 7*

Academic year 2005-2006 was the first full academic year prior to the implementation of the Two-Strike policy. The data provided in Table 1 and Table 2 indicates the lowest number and the lowest proportion of violations occurred in academic year 2008-2009. To test if a significant difference occurred after the implementation of the Two-Strike policy, I used the data available for both the 2005-2006 and 2008-2009 academic years. The results of the test are provided in Table 9.



Table 9

*Test 7*

Academic Year	Enrollment	Violations	Proportion
2005-2006	13,709	568	0.04143
2008-2009	13,685	171	0.01250
Critical Value	Z-Score	Result	
+/-1.96	14.7808	Reject the null	

Note. Test 7 includes data regarding alcohol violations only.

A Z-Score of 14.7808 indicates there is a significant difference in the proportion of alcohol violations between the 2005-2006 and 2008-2009 academic years. Using the data provided in Table 1 and Table 2, a decrease occurred between the academic years tested; therefore, one can assume a statistically significant decrease occurred in the proportion of alcohol violations after the implementation of the Two-Strike policy.

*Test 8*

The data provided in Table 1, Table 2, and Figure 1 indicates the lowest number and the lowest proportion of violations occurred in academic year 2008-2009. Since that academic year, the University of Mississippi also experienced an increase in its enrollment which could have attributed to the increase in both the number of alcohol violations and the proportion of alcohol violations. Furthermore, it was important to test whether a significant difference occurred statistically. A decision was made to test for a significant difference rather than a significant increase to remain consistent with the stated null hypothesis. If a significant difference was found using the test statistic +/- 1.96, a significant increase may exist too. A Z-Test again was utilized for the data, and the test produced the results found in Table 10.

Table 10

*Test 8*

Academic Year	Enrollment	Violations	Proportion
2008-2009	13,685	171	0.0125
2010-2011	15,505	228	0.0147
Critical Value	Z-Score	Result	
+/-1.96	-1.6223	Fail to reject the null.	

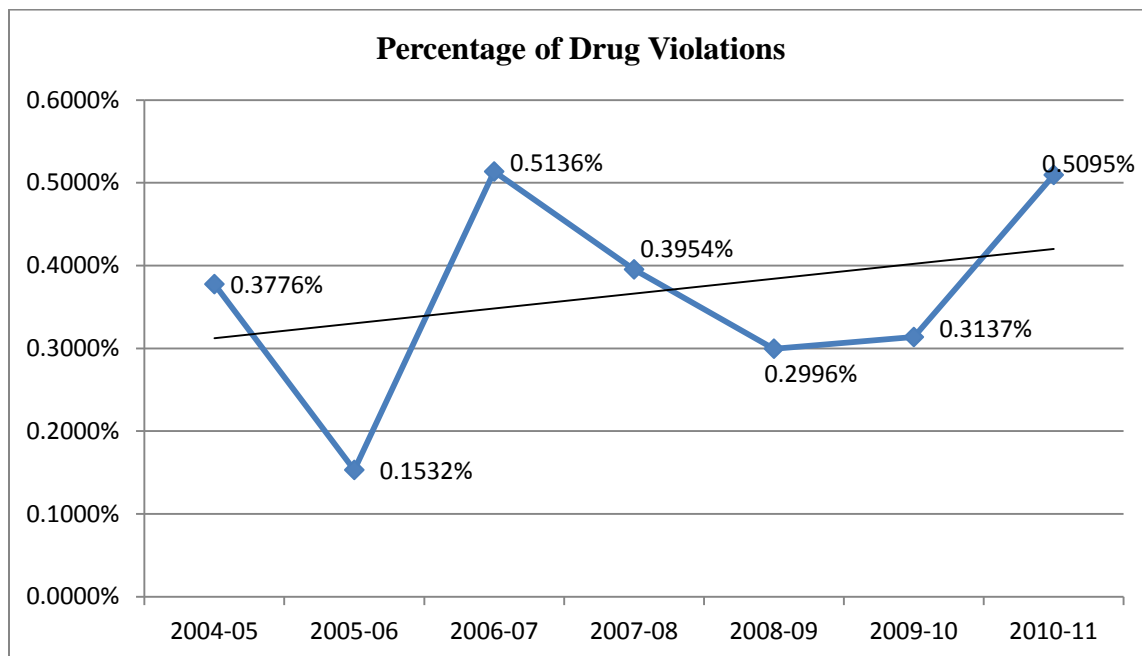
Note. Test 8 includes data regarding only alcohol violations.

The Z-Score found in Test 8 indicated there is not enough evidence to determine there is a significant difference between the proportion of alcohol violations adjudicated during the 2008-2009 academic year compared with the proportion of alcohol violations adjudicated during the 2010-2011 academic year. If Test 8 had tested to see if there was a significant increase in the proportion of alcohol violations between 2008-2009 and 2010-2011, a critical value of -1.645 would have been utilized. Using the same data available in Table 10 but replacing the critical value with -1.645 the results of the test ( $Z = -1.6223$ ) would have been the same. The Z-Score found in Test 8 still would have resulted in failing to reject the null hypothesis. There is not sufficient evidence of a significant increase in the proportion of alcohol violations between 2008-2009 and 2010-2011.

*Other Drug Violations*

Even though the main focus of this study is alcohol, it is hard to ignore the aspects of students' behavior that are directly attributed to the illegal use of drugs. Additionally, the Two-Strike policy at the University of Mississippi prescribes minimum sanctions not only for alcohol violations but also violations related to the illegal possession and use of drugs and drug paraphernalia. As shown in figure 3, the proportion (shown as a percentage) of drug violations

has both increased and decreased over time, but the trend line seems to indicate the proportion of drug violations are increasing. Two additional tests were used to provide information for this study. Test 9 included data from the 2004-2005 and 2010-2011 academic years to determine if a significant difference existed in the proportion of drug violations over time. Since Test 9 utilized data from before the implementation of the Two-Strike policy, Test 10 included data gathered after the implementation of the Two-Strike policy.



*Figure 3.* Percentage of Drug Violations 2004-05 to 2010-11.

#### *Test 9*

Test 9 compared the proportion of drug violations during the 2004-2005 academic year to the proportion of drug violations during the 2010-2011 academic year. The data used and the results of the Z-Test for proportions are found in Table 11.

Table 11

*Test 9*

Academic Year	Enrollment	Violations	Proportion
2004-2005	13,508	51	0.0037
2010-2011	15,505	79	0.0051
Critical Value	Z-Score	Result	
+/-1.96	-1.6821	Fail to reject the null.	

Note. Test 9 includes data regarding only other drug violations.

The calculated Z-Score of -1.6821 resulted in failing to reject the null hypothesis. There is not a significant difference between the proportion of drug violations in the 2004-2005 academic year and the 2010-2011 academic year. A two-tailed test and corresponding critical value of +/-1.96 was used to remain consistent with the stated hypothesis that there is not a significant difference.

The data shown in Table 11 indicated a negative Z-Score for Test 9. A negative Z-Score for this test means that the proportion of drug violations increased over time. Additionally, comparing the number and proportion of drug violations during the 2004-2005 academic year to that of the 2010-2011 academic year, one also can determine that an increase occurred over time. A critical value of -1.645 was utilized to test if there was a statistically significant increase (a one tailed test) in the proportion of drug violations. The calculated Z-Score -1.6821 is less than the stated critical value of -1.645; therefore, the results of the one-tailed test indicated there was a significant increase in the proportion of drug violations over time. Though the calculated Z-Score fell within the rejection area, it did so ever so slightly.

### *Test 10*

The data presented in Table 2 and Figure 3 indicate the smallest proportion of drug related violations after the implementation of the Two-Strike policy is the proportion of drug violations for the 2008-2009 academic year. For Test 10, the proportion of drug violations in 2008-2009 was compared to that of the proportion of drug violations in the 2010-2011 academic year. The data and results of Test 10 are found in Table 12.

Table 12

### *Test 10*

Academic Year	Enrollment	Violations	Proportion
2008-2009	13,685	41	0.0030
2010-2011	15,505	79	0.0051
Critical Value	Z-Score	Result	
+/-1.96	-2.7970	Reject the null	

Note. Test 10 includes data regarding only other drug violations.

The calculated Z-Score of -2.7970 resulted in a rejection of the null hypothesis in favor of the alternate hypothesis. A statistically significant increase does exist between the proportion of drug violations in 2008-2009 to that of 2010-2011. According to the data presented in Table 2 and Figure 3, the proportion of drug violations has increased each year since the 2008-2009 academic year.

### *Conclusion*

The available quantitative data regarding alcohol and other drug violations at the University of Mississippi was analyzed and presented in Chapter V. Chapter VII of this study will provide further summary, discussion, and recommendations with regard to the alcohol policies at the University of Mississippi. With a purpose of analyzing the alcohol policies at the

University of Mississippi, Chapter VI of this mixed methods study will provide a qualitative analysis to help complement the information presented in Chapter IV and Chapter V.

## CHAPTER VI

### ANALYSIS OF QUALITATIVE INTERVIEW DATA

#### *Introduction*

Chapters IV and V provided an historical perspective and a presentation of quantitative data respectively. This chapter will formulate further a comprehensive analysis of the alcohol policies at the University of Mississippi. The methods utilized within this chapter are consistent with those of the qualitative interview (Flick, 2009, p. 164). For research purposes, 24 individuals were interviewed. The sample of those interviewed consisted of students, former students, faculty, and staff at the University of Mississippi, members of the Alcohol Task Force in 2006, law enforcement, community members, and city leaders. A thirteen-question interview protocol or script was followed for structure, consistency and as a research guide (Kvale, 2007, pp. 56-66). Because the sample of individuals was so diverse, not every question listed on the protocol applied to every person interviewed; therefore, one or more of the questions may have been abandoned during an interview (Glesne, 2006, p. 80).

Each interview, recorded by an audio device, was transcribed for research purposes. The transcriptions were cross referenced using the handwritten field notes taken at each interview to ensure reliability and an understanding about what was being communicated (Flick, 2009, p. 386). A computer software program, QSR NVivo9, was utilized to help map the identified themes derived from the transcriptions and field notes. Further subthemes also were identified and are documented within this chapter (Creswell, 2009, p. 189). This chapter is dedicated to

presenting the identified themes and subthemes found as a result of the data gathered from the 24 qualitative interviews.

### *A Greater Problem*

The interview protocol was structured using what is commonly known as a funneling method, where the first questions asked are generally more broadly based (Kvale, 2007, p. 57). The first question from the protocol asked each person interviewed, “Why do you think college students consume alcohol?” Though numerous research studies have been conducted regarding why students consume alcohol, some of which were presented in Chapter II, the question was presented to help set the tone of the interview and spark ideas about college drinking. Most answered the question giving multiple reasons for why students drink. One reason presented was peer pressure which is similar to the findings of Crawford and Novak (2007). Others said it was related to a perceived status or perceived expectation (Charlton & Tatum, 2008). One person stated, “I think it has become somewhat a part of the culture, and the expectation of just what college students are supposed to do.” Others stated, “It’s because the masses do it. Once the masses do something, it’s kind of considered normal” and “the biggest partier, you know, the life of the party, the person that drinks the most is, you know, usually is celebrated.” The quotes presented in this paragraph are only those of current students. Though answers to this question were provided by all of those interviewed, little time was spent on why college students consume alcohol because numerous research is available already and the question did little regarding the purpose of this study.

In October 2006, Chancellor Robert Khayat sent an email to members of the Alcohol Task Force writing of the need to “change a culture that seems to encourage alcohol abuse and violation of alcohol laws” (R. C. Khayat, email, October 30, 2006). With publications such as



the Princeton Review ranking the University of Mississippi as one of the top party schools, there is a perception that students at the University of Mississippi drink more heavily and more often than do students attending other institutions. Two questions were asked that specifically inquired about the possibility of an alcohol problem at the University of Mississippi. The two questions asked are as follows: “What is your perception about the alleged alcohol problem at Ole Miss?” and “From your point of view, what factors, if any, helped create the alleged alcohol problem?” Nearly every person interviewed noted that it was “not just an Ole Miss problem” or that it was “not unique to Ole Miss” but that it was a national problem or national issue. From these questions a theme was identified and titled *A Greater Problem*. Statements that were part of this theme produced three subthemes; one of which has been discussed already. The three subthemes of *A Greater Problem* are *Reasons to Drink*, *Not Just an Ole Miss Problem*, and *Minimum Age*. The subtheme *Reasons to Drink* was discussed earlier in this chapter and will not be addressed further.

*Not just an Ole Miss problem.*

The subtheme *Not Just an Ole Miss Problem* was the strongest subtheme of *A Greater Problem* yielding numerous statements consistent with the theme. The questions regarding the perception of the alleged alcohol problem and the factors that helped create the alleged alcohol problem at UM resulted in numerous reactions consistent with the idea that the drinking behaviors of UM students are not different from those of students at other institutions. One person interviewed said, “I think there is an alcohol problem at Ole Miss, but I don’t think it’s unique to Ole Miss. Sometimes we get tagged with that as if we are unique but I don’t think we are.” Another person commented, “I know from friends that it is a problem at Harvard, it’s a problem at Davidson, it’s a problem at, you know, small schools [and] large schools.” Another

person was adamant that it was not specific to Oxford and the University of Mississippi stating, “It’s absolutely not an Ole Miss issue. I think it is a college aged issue right now. It’s absolutely not an Ole Miss issue.”

As noted in the last quote, the issue of college aged individuals was addressed in several interviews too. One student said:

We are at the age where we are wired for rebellion and we, for many of us depending on our backgrounds, alcohol has been out of reach and part of the joy in college is getting to do things that you were never able to do at home.

Another person addressed the issue of not just the age of traditional students but also the uniqueness of a college atmosphere stating, “It has to do with the age group and the uniqueness of the college community. That concentration, that’s where you, that culture, which would encourage people that age to drink.” In speaking about the uniqueness and openness of the college environment he further stated:

I think the concentration of that many young people just creates a community where [there are] different kinds of behavior and trends and fads. I mean, I’ve noticed the boots. I’ve noticed the young women are wearing skirts and cowboy boots now. You would never see, if you go downtown Laurel or Memphis, if you were a woman walking down the street in pajama bottoms and cowboy boots, you wouldn’t see that. So I think it’s kind of part of the community.

Though the thoughts and feelings of those interviewed indicated that college drinking is not just a UM problem, some indicated that even though the college community is open and welcoming, some of the alcohol issues begin during the high school years. Research studies such as Harford, Wechsler, and Muthen (2002) found that institutions across the country enroll

18 year old students who are problem drinkers the day they begin their higher education careers. According to some of those interviewed the perception is that the University of Mississippi is not immune to the research findings. One person stated, “According to our assessment that we do with Alcohol Edu, we find that 40 something percent are already drinking before they come to college.” Similarly, another person stated, “It’s a holdover from high school. You know they, they don’t, many college students don’t come to college and learn to drink. They come to college with drinking already a part of their social life.” And still another person remarked, “We know statistically, nationwide that students who drink and drink heavily tend to binge, usually take their first drink at age 14.... They are seasoned drinkers by the time they arrive here at the University of Mississippi.” The subtheme *Not Just An Ole Miss Problem* can best be summarized by a statement from one law enforcement individual who said, “So, it’s not exclusive just to Oxford, Mississippi and the University of Mississippi.” It is a greater problem.

*Minimum age.*

The final subtheme of *A Greater Problem* is *Minimum Age*. In addressing the alcohol problem, not just at the University of Mississippi, some of those interviewed commented that the legal drinking age of 21 made alcohol “taboo,” therefore increasing abusive drinking and limiting the role of educators to “model good behavior.” One person commented saying, “I don’t think you can establish maturity based upon age. I’ve seen mature 18 year olds and I’ve seen immature 18 year olds. I’ve seen mature 21 year olds and I’ve seen immature 21 year olds.” One community member stated, “You know, in many ways it’s unfortunate that the drinking age is 21 and not 18 because if it were 18 then you could deal with this holistically.”

Though there were opponents to the 21 year old drinking age, two individuals interviewed mentioned the statistics surrounding the reduction of alcohol related incidents since

Congress passed the National Minimum Drinking Age Act of 1984. Referencing the effort of former president of Middlebury College, John McCardell to encourage the states to lower the legal drinking age, a faculty member stated:

The question that always is thrown on the table is why shouldn't the states allow drinking at 18 and why shouldn't the campuses take the lead in, in reducing the drinking age to 18 since it already takes place? And that's where the debate stands. I mean, unfortunately, the stats demonstrate that we cut in half the number of homicides, or vehicular deaths caused by alcohol when we implemented the law raising the age of drinking. The question we have to ask ourselves as a society is, is that cost worth the gain that he's advocating?

Comically, the faculty member followed by stating, "So what we could do is, yeah, we could lower the drinking age to 16 and raise the driving age to 25."

The three subthemes discussed in this section indicated that those interviewed thought that though alcohol was potentially a problem at the University of Mississippi, it was not unique to Oxford and UM. The findings indicated that it was more of a national problem and the scope should be widened.

#### *The Ole Miss Problem*

Consistent with the findings indicating that the issues surrounding college drinking are more of a national problem, the University of Mississippi is not exempt. One theme that emerged from the questions was titled *The Ole Miss Problem*. This theme also had several sub themes that related to numerous questions on the protocol. The resulting subthemes found are as follows: *Drinking Is In Very Concentrated Areas; Environmentally and Culturally Based; Perception Because of Publicity; Self Fulfilling Prophecy; Oxford Issues; and Hypocritical.*

*Drinking is in very concentrated areas.*

During the interviews, a topic that continually emerged was the idea that drinking generally takes place in three geographical areas. The areas mentioned are relatively small compared to the number of people partaking of the drink. Because the areas are geographically concentrated, there is a perception created that student drinking is heavier at the University of Mississippi than at other institutions. One person interviewed stated,

My perception is that drinking occurs in more compressed areas at Ole Miss than it does maybe on some other campuses. We've got sort of, we've got our social scene on fraternity row and we've got our social scene at our bars, which is pretty compact in one area. See, my perception would be that if there is a difference between drinking at Ole Miss and drinking at other colleges it's just because we sort of put it all together in one place, or in two places.

The areas identified as being geographically concentrated are the Oxford Square, the Grove on football game days, and Fraternity Row.

A large number of the issued beer and liquor permits are for businesses within a quarter mile radius of the Oxford courthouse. Much of the subtheme *Oxford Issues* is formed around the idea that the number of businesses selling alcohol in Oxford and especially near the Oxford Square "have grown exponentially" in the last 20 years. One person commented, "There may have been four or five bars in the City of Oxford when I returned in 1986. Now there's 40. That's the major change that I see."

In addition to the number of bars in Oxford and each one's close proximity, two other areas mentioned as being very concentrated are located on campus. On football game days, much of the tailgating activities take place within a 10 acre spot known as the Grove. On each

game day in the Grove, there are usually public instances of drunken and raucous behavior. Alcohol can be found at numerous locations in and around the Grove which creates a perception about the alcohol environment at the University of Mississippi. Speaking about the Grove and its small geographical area, one person interviewed said, “We have a significant problem but it’s really concentrated, you know.... I’m not sure what’s made us, or what’s made people look at us. Maybe it’s, maybe on football weekends when you think about we are concentrated in the Grove.”

Finally, Fraternity Row was mentioned as another spot where drinking occurs and is concentrated geographically. Each academic year, most all of the fraternities at the University of Mississippi host social events at their respective fraternity houses. A large number of individuals attend these events and oftentimes alcohol is present. Most of the houses are located in roughly a 15 acre area allowing for individuals to attend multiple events in one evening. The idea that abusive drinking is generally contained within very concentrated areas led some of those interviewed to indicate that it results in an inflated perception about the drinking atmosphere in Oxford and at UM. An inflated perception leads to inaccurate ideas about drinking, especially in certain areas such as the Grove; therefore, resulting in inflated expectations and the establishment of an environment and culture of alcohol.

*Environmentally and culturally based.*

Another subtheme identified in *The Ole Miss Problem* was that drinking is often *Environmentally and Culturally Based*. It is the environment in which students become settled and learn how best to fit in and ultimately succeed. One person interviewed said:

The problem is we come from the poor state in Mississippi and power is constructed through social networking. And when the kids go out and party it’s just not a libertine

excessive indulgence... they are building a basis of connectedness to help protect themselves, propel themselves professionally.

Others took a slightly different approach indicating that the drinking atmosphere was based in culture passed down through the generations of students. One person commented, “We have generations of students, of families that come to this institute. Grandfather did it, Mom and Daddy did it, and now it’s handed down to junior and sister.” Another person interviewed commented, “I’ve been going to Ole Miss forever, I mean, my grandparents went here, I just, I love the fact that it’s a wet campus for the Grove, for liquor because I think that is what makes us Ole Miss.”

Some thought the drinking environment is derived from expectations of others, or the perceived expectations of others. Several of those interviewed commented about the expectation to drink at fraternity parties. One student commented, “the whole structure of the fraternities, it’s just, it’s expected that if you are in a fraternity that you are going to be involved with some type of drinking.” Another student stated, “If you’re going to be cool you join a fraternity or sorority and then once you’re there the cool thing to do and the thing you have to do is you have to drink. And they make you drink.”

*Perception because of publicity and Very public self fulfilling prophecy.*

Related to the subtheme *Environmentally and Culturally Based* are two other subthemes of *The Ole Miss Problem*. Those two subthemes are *Perception Because of Publicity* and *Very Public Self Fulfilling Prophecy*. This study found that some students at UM enroll as freshmen with a preconceived notion that drinking is heavier at the University of Mississippi than at other institutions. The publicity, derived from articles about the Grove and Oxford to word-of-mouth information regarding a large number of people in concentrated areas, forms a perception about

the University of Mississippi and Oxford. The resulting perception forms ideas about normal behavior that may or may not be accurate.

With preconceived perceptions held by students, there tends to be a self fulfilling prophecy related to the drinking culture. As one person put it:

you know it's crazy you see the Princeton [Review] rankings and you hear your friends talking about like how wild it is and when you want to, when you get here you kind of feel responsible for upholding that.

#### *A More Focused Study*

As each interview moved through the interview protocol, the types of questions transitioned from broadly focused to more narrowly focused questions. The more narrowly focused questions pertained specifically to the alcohol policies at the University of Mississippi. The questions were asked to gain a better understanding about why decisions were made and to what extent those decisions were effective. Additionally, the questions were tailored toward the alcohol policies at the University of Mississippi and set out to determine if there were thoughts about a better way of operating.

Responses to seven of the last ten questions and probes on the interview protocol resulted primarily in three umbrella themes and seven subthemes. The umbrella themes identified were *Opportunities of Alcohol Policies*, *Problems With Alcohol Policies*, and *Education*. Three subthemes to *Education* were found. The data indicated that the University of Mississippi made an effort to educate its students about the dangers of illegal and abusive drinking using forums such as Orientation, and AlcoholEdu, an online educational tool required for all students enrolling at UM. Further suggestions were made regarding how to better educate students about the dangers of illegal and abusive drinking and about the alcohol policies at the University of



Mississippi. The information garnered from the data led to the following subthemes of *Education: Education about Dangers of Alcohol and Other Drugs; Education About the Alcohol Policies; and Suggestions for Better Education.*

#### *Education*

##### *Education about dangers of alcohol and other drugs.*

For the subtheme *Education about Dangers of Alcohol and Other Drugs*, most everyone acknowledged UM's effort to educate students about the dangers associated with illegal and abusive drinking. The University's educational efforts through the online tutorial AlcoholEdu was mentioned by several of the individuals interviewed. Though AlcoholEdu was specifically mentioned, its effectiveness was debated. Some praised it saying:

I think the advantage of AlcoholEdu is every student is at least exposed to issues related to the danger of alcohol. If they actually take the course and pay attention they will learn some things that I think should make them think twice before they engage in behavior that is going to get them into trouble.

It seemed the students were the ones most critical of AlcoholEdu. One student stated, "That was just kind of a pain in the butt. You know, something you had to do, didn't really pay attention to it, just kind of zipped through it." A former student commented, "I felt like it wouldn't be taken seriously by especially 18 year olds.... You know, my thoughts were that if you're going to do something sort of educational, doing it on a computer is not extremely helpful." Another critique of UM's educational efforts was that the Orientation sessions that dealt directly with alcohol and other drugs were not mandatory. That particular person stated:

You can throw smoke and mirrors all you want and I think that is what is being done.

They can say they are doing all of these things but until you make them mandatory you are pissing in the wind because the people who need it aren't there.

*Education about the policies.*

The next subtheme found as part of the theme *Education* identified statements related to UM's effort to educate students about its alcohol and other drug policies. It was titled *Education about the Policies*. This subtheme closely resembled the subtheme *Education about Dangers of Alcohol and Other Drugs* in that there were both praises and criticisms of UM's effort to educate students about its alcohol and other drug policies. The effort to educate about the alcohol and other drug policies of the University of Mississippi also is completed using Alcohol Edu and Orientation sessions as forums.

The statements praising UM were mainly directed toward both the effort itself and the fact that every new student was, at least, exposed to the information. The praise in effort was contrasted by criticisms of forum and the elapsed time between Orientation and the first day of fall classes. Additionally, there were statements regarding how the information was presented only to incoming students and not reiterated throughout the students' entire academic career. One student said:

I think the University did a good job by administering, requiring incoming students to do the Alcohol Edu. But at the same time I think once students actually get here, it's like, that was so long ago. You get here and you're going to class and those rules are never really reiterated. You never really hear it anymore after you take the test and pass it.

Another student said, "so we've got to start educating and continue educating through the four years instead of just the one Alcohol Edu course before they come in."

*Suggestions for better education.*

The final subtheme of *Education* is *Suggestions for Better Education*. An important piece for any institution of higher learning is to discover how to best educate its students regardless of the topic. Many of the students interviewed focused on the need to use peers as educators. A student commented:

I think there's better ways to reach out to college students than making them go through like an online tutorial or having an adult come in and like tell them. Because you know college students are like, oh well, what do you know, you're old. You know, I'm 21, I'm 22, I don't need this, and so if there was more like peer to peer education I think that might help out better.

*The Opportunities and Problems with Alcohol Policies*

In an attempt to analyze further the alcohol policies at the University of Mississippi, two other themes emerged and were labeled: *Opportunities of Policies* and *Problems with Policies*. The protocol asked questions related to the effectiveness of, opportunities of, challenges with, and the recognized unintended consequences of the alcohol policies at the University of Mississippi. Answers to these questions yielded data that were marked as applicable to one or both of the themes mentioned within this paragraph. The resulting subthemes are as follows: *Two-Strike Policy Opportunities*, *Obey the Law Campus Opportunities*, *Problems with Two-Strike*, and *Problems with Obey the Law Campus*.

*Two-Strike policy opportunities.*

One of the recognized opportunities and benefits of the Two-Strike policy was the policy "very clearly stated [the] values" and expectations of the institution. One person said, "I think the opportunity for all of us is that, there's no doubt what's going to happen to you if you

get arrested for an alcohol violation on campus.” Another person remarked, “I like the Two-Strike policy with the idea that everyone knows if you do this, this is what’s going to happen the first time...and the second time you have a good chance of getting booted out of school.”

Another benefit found of the Two-Strike policy was its usefulness in “becoming an educational opportunity in lots of ways.” One of those ways was that it not only presented clearly stated values and guidelines but it also presented an awareness of behavior. One person stated, “The beauty of Two-Strike is the ability of it to enter into the vernacular of the student.” To that end, someone else remarked, “the term *strike* has become part of the University lexicon” and that in itself has created an awareness of both the policy and behavior. Additionally, both students and nonstudents alike thought the Two-Strike policy was “reasonable” and presented the student with clearly stated expectations. One student remarked, “I mean, when I first heard it I thought it made sense. I’m glad it’s not like a three or four strike policy because that’s kind of not really helping anyone.” Another student said, “We’re college students and we don’t need, or we shouldn’t get four or five warnings.”

It seemed as if the praise regarding the Two-Strike policy was in its ability to be easily recognized by students and even entering “the University lexicon” and too its ability to help clearly state UM’s expectations of students.

*Obey the law campus opportunities.*

In 2007 UM changed its policy on alcohol from one of prohibition to a campus that allows for the lawful possession and use of alcohol on campus. The subtheme *Obey the Law Campus Opportunities* included several statements and ideas that recurred in multiple interviews. One of the ideas was that even though alcohol was by policy prohibited prior to 2007, “the only change that happened was de facto change.” “The reality was, on paper it may have said it was a

dry campus but obviously it wasn't. It wasn't in fraternity houses in particular, [and] it wasn't on game day obviously." According to one person interviewed:

So one of the components was to try to change our rules, our alcohol policies to make them cleaner and more clearly understood and to educate people about them.... Our alcohol policy became much simpler in that we simply said if it's illegal then you can't do it.

One of the issues with changing the policy on alcohol stemmed from tailgating activities and other events on campus where the consumption of alcohol may have been legal otherwise. It was found that during tailgating events, it is nearly impossible to cite or arrest everyone violating UM policy. One person stated that "Any law that is fundamentally unenforceable is not a good law. And so enforcing that prohibition on game day was impossible without, you know, putting fences around campus and requiring people to go through searches." With a policy for a completely dry campus, UPD often had to ignore some alcohol violations in favor of addressing more immediate breaches of peace. Oftentimes, conflict arose within police officers because of prior law enforcement training and the sense of obligation to address unlawful behavior. The one word that continually came up in the interviews was *hypocrisy*.

Earlier in this chapter the subtheme *Hypocritical* was noted. I reserved explaining the findings until now because while the subtheme is an *Ole Miss Problem* it is more appropriately an opportunity for changing UM policy.

It was a decision by the Alcohol Task Force to recommend to the Chancellor that the policy be changed to allow for the legal possession and consumption of alcohol on campus. In one interview, a member of the Alcohol Task Force stated:

I voted in the minority on committee. The majority voted to make policy reflect current state and county law. And I suggested that policy had to supersede the law given the unusual challenges that we faced. I think the majority of the committee made the right decision because they took away the hypocrisy that we so fought. And that was the appearance of a double standard.

Another decision maker said about the policy change,

For me the driving force was hypocrisy. I think the majority of the people reject hypocritical behavior and we knew drinking was going on, we were turning our heads the other way and not doing anything about it.... So we just decided we would follow the law.

Additionally, one Oxford law enforcement agent said, “I really don’t see any freaking difference between making it legal and making it illegal. The only difference is that it kept probably the law enforcement out there [on campus] from having to do this. You know, it takes them out of a bad position.”

More than just the hypocrisy issue was the fact that the policy change accommodated otherwise legal behavior. Another member of the Alcohol Task Force said:

At the time I was a proponent of just outlawing all alcohol on campus because I didn’t think anything other than that was going to work and I wasn’t even sure that was going to work. And I have changed my mind since then and I believe that for 21 and over it’s, there has to be a way to figure out how to accommodate alcohol on campus.

The overall benefit of changing UM’s policy from a dry campus to an obey-the-law campus helped bring UM policy in line with local, state, and federal regulations and gave law enforcement an opportunity to focus more on unlawful and disruptive behavior.

## *Problems with New Alcohol Policies*

### *Problems with obey the law campus.*

This section focuses on the problems identified with both UM's policy on alcohol and the Two-Strike policy. At the time UM's policy on alcohol was amended, there were both proponents of and opponents to the change. As mentioned previously, one of the opportunities of the policy was "to make it more clearly understood" and bring the policy in line with local, state, and federal laws. But the policy change came on the heels of several tragic accidents involving alcohol. It was the perception by some that allowing alcohol on campus as opposed to having stricter enforcement of the dry policy was not the best decision. To that end, a member of the Alcohol Task Force stated:

The downfall, the consequence of the new policy change I think is to somehow create an air of legitimacy to the consumption of any form of alcohol during festivities on campus that even transcend the law of the county and the state.

While conducting research for this study, I found it interesting that much of the dissent about the change to UM's policy on alcohol came from law enforcement. One law enforcement officer said, "You are going backwards. If you say that you are trying to manage the alcohol problem, then I don't think by making it legal, that is what you do." Another law enforcement officer stated:

I think any time you give somebody an intoxicating beverage and they consume too much their behavior is what poses the problem and if you can't prohibit things that contribute to their behavior to begin with I think you're stuck between a rock and a hard spot.

On the same subject, a community member stated, “So how does it help a social agenda for a student to be able to sit down on campus and have a beer? I say no. So I have a firm opinion there.”

There was, and apparently there still is, dissention from both the University community and the communities of Oxford and Lafayette County regarding the change to UM’s policy on alcohol.

One of the issues voiced by several of the individuals interviewed was that the policy was confusing. This most likely stemmed from the confusion brought on by Lafayette County law that prohibits beer but allows for liquor. Additionally, the campus lies partly in the City of Oxford and partly in the County, providing law enforcement with the challenge of determining which laws apply. One UPD officer told me, “[The policy] is still confusing because you have to stop and think what part of campus you are on in order to enforce what law.” A community member stated in an interview, “I’ve never understood the beer/liquor thing. I can’t ever keep it straight what’s illegal and what is legal and where. Across this street it’s beer only and all this mess, I can’t remember all that.” Looking back on what UM did in terms of educating its community on the policy change, one Alcohol Task Force member said:

Well, the first thing I would’ve done [differently], and when you talk about challenges, you have to make sure that everybody involved in the implementation and enforcement of policies is on the same page. We were at a disadvantage at the time because we had a police chief who never bought into the policy.

For any policy to be effective, everyone involved with the change must buy in to the change and be willing to share ideas, concerns, and triumphs. The issue of collaboration and the sharing of information will be addressed later in this chapter and also in Chapter VII.



### *Problems with Two-Strike.*

The Two-Strike policy has many benefits but problems emerged also within the transcripts of the interviews. Most of the challenges addressed were “strictly logistical.” The issue of hearing alcohol and other drug cases in a timely manner and addressing the question “what happens when somebody has a strike or an alcohol violation but hasn’t had a hearing and gets another alcohol violation?” One person said, “one of the big problems is if you have a first offense that would normally engender a first strike but the sanction is not applied until they’ve gotten in trouble again, that presents a problem for us in terms of how to adjudicate.” Not only is timeliness an important issue but also consistency in decisions for similar cases. For the University of Mississippi, a person interviewed said that one of the ways to garner consistency “was expand the staff in the student conduct office so that the idea would be to try to route all cases involving alcohol and drugs through a single unit.” Over time, “a challenge was the sheer number of cases to be heard and hearing those cases in a consistently, timely manner.” As enrollment increased it became difficult for only one unit to adjudicate all cases of alcohol and other drugs. “Since that time [UM] moved back to a situation where first ‘strikeable’ alcohol offenses occurring in the residence halls are being handled by staff in the residence halls.”

There were several issues or problems mentioned about the Two-Strike policy but those items were not mentioned by more than one person and never developed into a theme or subtheme. One of those was a concern when the implementation of the Two-Strike policy first began. It was a concern that “outside influence” by donors or other politically influential people would result in UM applying its policy inconsistently. The person spoke from an historical perspective regarding the challenges anticipated but noted that “outside influence” was

something UM had not experienced thus far. A law enforcement official, also speaking from an historical perspective, stated:

at first we were kind of scared that it would cause people's behaviors to change toward us because they would be more aggressive or more likely to run if they were, you know, looking at those consequences of getting their second strike and being kicked out of school.

A viewpoint from another person pointed to the philosophical change of implementing a Two-Strike policy that set minimum sanctions. He stated:

What I struggled with in the implementation is it was a bit of a left turn from the typical way we managed student discipline. Our student discipline has no fixed penalties for different misconduct and it has always been in the hands of the, of the student discipline professionals, student life professional, student affairs professionals and the judicial committee, the Judicial Council to craft the appropriate discipline in our educational environment. The appropriate educational piece the appropriate punitive piece the appropriate remedy and with a lot of discretion to make sure that the sanction fit the person and where they are educationally and where they were developmentally and what they needed to get them from point A to point B, where people needed protecting, so what was hard for me about two strike, and I had to overcome this a little bit was, it was a bit of a philosophical left turn in how we manage student discipline.

Though there were points made concerning struggles of the Two-Strike policy, there was one issue that was mentioned several times. It was the fact that some think "the Two-Strike policy in itself is not a deterrent to drinking." One person said, "It seems to me that the threat of

getting a first strike doesn't seem to concern students too much." Another student continued that sentiment saying:

Because, I mean, when you're drinking you don't think that you're going to get caught. I mean, once you do, you probably look back and say, oh shoot, I shouldn't have done that but I don't think it really keeps people from drinking on the front end.

Though concerns were voiced that the threat of a first strike does not deter illegal and abusive drinking, the idea was that the policy "is a deterrent for somebody who already has a strike."

In terms of the policy reducing episodes of illegal and abusive drinking, one staff member said, "I think to students a lot of policies are not necessarily, in their view they are not upheld." It seemed the idea was that the policy may not be as effective because the number of first strikes and the number of those suspended were seldom reported on by news agencies. Several of the individuals interviewed said they were unaware of how many students were suspended or how many received a first strike. One student said, "It always helps, in my opinion, if students can see like statistics.... I mean, if I was a freshman and I knew 17 students in my class had hit two strikes, then I might say, oh wow, I mean you don't hear about it." To that same end, a law enforcement official talking about general awareness of illegal and abusive drinking spoke to the importance of awareness and the need to continually "reiterate" the message. He said, "as long as they are fresh on people's minds, it's all good" but "after a while if nothing has happened we kind of get lax. And if something happened again, then we will do the big rush again."

## *Collaboration*

The idea of a potential lack of information leads into the final theme found for the study. The theme *Collaboration* emerged and it encompasses a finding that revealed a desire for more information and more cooperation by everyone involved. As mentioned in the previous section of this chapter, more information about statistics may help students become more aware of illegal and abusive drinking. The interviews also revealed a need for better transfer of information about policies and practice to both inside and outside agencies of UM. Throughout this study, I continually was conscious of and cautious about keeping an awareness of myself as a researcher. I did this was to ensure the data was received and interpreted with an open mind. As Assistant Dean of Students, I am privy to information that I hope will contribute to this study. In the same way, I was able to identify numerous inaccurate statements from individuals associated with both UM and with outside agencies. A subtheme of *Collaboration* emerged and is titled *Potentially Inaccurate Statements and Assumptions*.

### *Potentially inaccurate statements and assumptions.*

The potential inaccurate statements that were voiced by several individuals interviewed were statements mainly surrounding the Two-Strike policy. One of the inaccurate statements about the Two-Strike policy came from a law enforcement official who said:

I think to a certain extent, I think [the Two-Strike policy] stops a little short of what needs to be done. Just the DUI is not simply just the problem. I think there should be some type of sanctions for other alcohol offenses besides DUI.

Another law enforcement officer stated, "I think during Orientation where you have the student and you have the parents, that's when the administration of this University has to acknowledge to both students and parents that we have a Two-Strike policy." One city leader

said, “I think Two-Strike has been effective. You expand that and you say, okay, you got two strikes and the third one you’re gone.”

When the Two-Strike policy was first implemented, there were numerous articles written about the policy. As time passed, I found a limited number of published articles regarding UM’s Two-Strike policy. Without adequate collaboration, especially with units that are part of UM, a perception is made that the policy enforcement has diminished. One UPD officer commented:

And it seems like the Two-Strike policy is following suit with all of the other reactions.

You come out with a bang, we are going to do this, this, and this to curb it, to control it, to deal with it and then all of a sudden everything is sort of watered down and we are not dealing with it like we initially started.

*More collaboration needed*

Not only were inaccuracies found but it also seemed as though individuals from the UM community and individuals from the communities of Oxford and Lafayette County were at odds in some ways. Lamenting the thought that more collaboration is needed one person said:

I am not blaming the University for anything. I’m not, Scott. Not what so ever. I’m not saying UPD does this, OPD does this. I’m not saying that. What I’m saying is we need more cooperation. We’re not getting it. The University says we are. University administrators say, no we are working hand in hand with Oxford; no, no they’re not!

Another person not associated with UM said:

I preached this for years and asked for it for years, and I been told every time and I understand time is limited but it’s such an issue that I think the City of Oxford Police Department needs to have the opportunity to be involved in Orientation. I just can’t help

but think that would have to help. But they say that Orientation is so tight that it's been impossible to get us in there to this point.

Alternatively, several individuals associated with UM mentioned the increased number of bars located on the Oxford Square. One individual stated, "the elephant in the room that confronted us all was the increasing number of bars in Oxford and Lafayette County." Another person associated with UM said, "...the city council has let Oxford concentrate all their bars downtown and they are just up in arms now because there's thousands of students on the Square when the bars turn out."

In terms of students going off campus to drink, there is a perception among several members of the Oxford and Lafayette County communities that UM's effort to stop drinking on campus pushed students off campus into the Oxford establishments. One city official said, "The number of bars and restaurants that serve alcohol have grown exponentially since UM cracked down or stopped alcohol consumption on campus. Robert Khayat very surely stopped that and it migrated to Oxford." Another member of the Oxford community stated, "it switched over to more bars because the fraternities are not, evidently not allowed to have the parties on campus that they used to, or there are more stricter guidelines on them." As shown within this section, there is a hint of discontent between decision makers in Oxford and those at UM. In terms of progressing, it seems as if accurate information is needed and collaboration is vital for progressive future decisions.

### *Conclusion*

The qualitative data presented within this chapter will be interpreted further in Chapter VII. The data presented here was to help the reader better understand the themes and subthemes that emerged as a result of the 24 qualitative interviews. Chapter VII will provide the reader

with a comprehensive analysis of UM's alcohol policies using the data and information found in not only this chapter, but also chapters IV and V.

## CHAPTER VII

### CONCLUSIONS

#### *Introduction*

Chapter IV, Chapter V, and Chapter VI presented data important to answering the research questions and addressing the hypothesis of this study. This chapter, reserved for conclusions, will bring together the information provided in the previous three chapters to fulfill the purpose of the study and answer the following research questions:

1. Which historical events led to the creation and/or modification of current alcohol policies at the University of Mississippi and what effect, if any, did local, state, and federal laws have on those decisions?
2. Which considerations, if any, were addressed and what considerations should have been addressed prior to making changes to or implementing new alcohol policies at the University of Mississippi?
3. What impact has the Two-Strike policy had on the “culture of alcohol” at the University of Mississippi?

Chapter IV of this study presented a detailed historical perspective providing background information into why the University of Mississippi made decisions regarding its alcohol policies. The data included in Chapter IV answered the following research question: “Which historical events led to the creation and/or modification of current alcohol policies at the University of Mississippi and what effect, if any, did local, state, and federal laws have on those decisions?”



Because the University of Mississippi was used as a lens for this study and to help answer the second research question, further perspective is provided within this chapter. As with most major changes to policy and practice, challenges emerged throughout the first year of implementation for both the Two-Strike policy and UM's policy on alcohol. The challenges addressed by the University of Mississippi are included in this chapter to help decision makers become aware of the possible obstructions to successful policy implementation at their respective institutions.

### *To Protect and Educate: Further Perspective*

In November 2006, ten days after the death of Robert Langley, UM very publicly implemented a Two-Strike policy for alcohol and other drug violations. Numerous articles were written in *The Daily Mississippian* criticizing UM for "going too far" (Blalock, 2006 p.2). Others thought UM was heading in the right direction and still others thought that it was a reaction to tragedy (Kress, 2006; Smith, 2006; "Wait!," 2006). A strong argument could be made that it was just a reaction to tragedy especially given the very short amount of time between the event and the implementation of the policy. It is important for the reader to understand that the policy, though quite possibly reactionary, was an interim policy pending further recommendations by Chancellor Khayat and the Alcohol Task Force. The language of the interim policy is included as Appendix III (for current policy language, see Appendix IV). Additionally, although the focus of this study is on violations by individuals, it is important for the reader to understand that during the summer of 2007, UM decided to hold organizations to the same standards as individual students. Beginning fall semester 2007, any student organization found responsible for two alcohol or other drug violations in a stated time period was subject to suspension under the Two-Strike policy.

As with most major changes to policy and practice, challenges emerged throughout the first year of the Two-Strike policy. One of the first challenges that emerged was the policing of behavior and how to do that effectively. Though it may be anecdotal, the perception about UPD and the Oxford Police Department in 2006 and 2007 was that, after the death of Robert Langley, the officers were prone to being overzealous. The perception was that some officers were making arrests when individuals were walking home from the bar or walking from a taxi to a residence hall. Though the incidents regarding UPD arresting students walking from a safe ride to the residence hall may have been few and far between, the philosophy of UM discouraged those types of arrests.

Similarly, another policing issue addressed at the beginning of spring semester 2007 concerned residence hall violations. Prior to the Two-Strike policy, it was common for a Resident Assistant (RA) or Hall Director to charge a student with Visibly Overcome by the Consumption of Alcohol for actions associated with intoxication. With the Two-Strike policy in place, better guidelines were needed because of the possibility for a student to be suspended. It was determined that if a student was intoxicated and the RA or hall director thought that he or she was a danger to themselves or others, or was damaging property, the RA or Hall Director should contact UPD to make the decision about whether the student would be allowed to continue to his or her own room (M. Pullen, personal communication, February 5, 2007). If the determination was that the student was not by law publically intoxicated, the student would not be arrested and would be allowed to continue on to his or her own room.

The Two-Strike policy has a primary purpose of protecting and educating students (L. Tyner, personal communication, February 2, 2007). Concern was voiced that such a stringent policy might produce a fear of getting someone in trouble and that the policy itself could hinder

the wellbeing of someone who had too much to drink. To encourage students to make necessary calls to medical staff to assist students in immediate danger, UM implemented and highly publicized a practice of medical amnesty. To limit the number of unintended consequences, UM determined that if either the person in need or the person calling assistance was in danger of violating UM's alcohol policy, neither student would be found responsible of an alcohol violation. In practice, a student would not receive a "strike" but a conversation with a UM staff member about the student's actions may take place.

The available research indicates medical amnesty clauses are both criticized and praised (Lewis & Marchell, 2006; Hoover, 2007). Someone who is dangerously intoxicated demonstrated the most severe abuse of alcohol and some think that type of behavior should not go unpunished. Research for this study indicated that it is the University of Mississippi's philosophy that conduct sanctions are not meant to be punitive, but rather educational in nature; therefore, an educational conversation with a student who went to the hospital because of alcohol suffices UM's obligations. Furthermore, it is the philosophy of the University of Mississippi that if because of the medical amnesty clause even one death is prevented then the practice of medical amnesty is worth the effort.

Shortly after the Two-Strike policy was implemented, UM took steps to ensure students fully understood the gravity of an alcohol or other drug violation. In November 2006, I drafted a form to be used in conduct hearings titled Two-Strike Acknowledgement Form. The University implemented the form that requires students to acknowledge their understanding about when their probationary terms end. The language used for the form can be found in Appendix V.

Though the policy seemed to administrators like a step in the right direction, there were some challenges with making decisions regarding a student's second strike. Historically, it was

not the philosophical practice for the student conduct system to have set sanctions for certain policy violations. Much discretion was left to the hearing panels as to the appropriate sanctions (L. Tyner, personal communication, December 2011). By providing minimum sanctions for alcohol and other drug offenses, some, especially those serving on the University Judicial Council (UJC), thought the discretion for sanctioning was beneficial and the new policy was too restrictive.

To adequately understand some of the growing pains of implementing the new Two-Strike policy, I believe it is important for the reader to understand the thoughts and feelings of UJC members especially as they relate to restrictions in terms of sanctioning for a second alcohol or other drug violation. I have attempted to do so without breaching the confidential nature of information shared within student conduct hearings.

The first hearing for a second strike was scheduled and held February 28, 2007. The result of the hearing suspended the student for one full semester. An area the hearing panel had discretion in sanctioning was to allow the suspension to begin at the conclusion of the current semester. The UJC took that liberty and the suspension began at the conclusion of spring semester 2007. At the conclusion of the hearing, the UJC collectively expressed concern with being confined to such a limited scope of possible sanctions.

The second hearing for a potential suspension took place the following evening, March 1. The facts of the case were much more concrete and the decision about whether or not the student violated UM policy was clear. For this hearing, it was not so much the decision about whether the student was in violation but rather the possible implications of suspending the student.

For the hearing on March 1, 2007, the student's father traveled to Oxford without the knowledge of the student. The student allowed the father to act as a character witness. During

the time of the father's testimony to the UJC, he pled with the UJC to do everything it could to not suspend his student because he was terribly afraid of the consequences to his family. The father told the UJC how the student's mother had a severe stroke less than a year prior to the hearing and how his son had taken such good care of the mother during the previous summer and winter break. He told of how the student helped feed her because she could not feed herself. He told of the heroic effort his son displayed in taking the mother to the bathroom and cleaning her because she could not do it herself. He continued telling about how his son had seldom been in trouble and if the UJC suspended his student, he was terribly afraid the news of the suspension might literally kill his wife, the student's mother.

This was unnerving for the UJC especially since the previous night, while hearing the case and then suspending the first student for a second strike, the mother of the accused student was allowed to speak on behalf of her daughter. The mother's situation too pulled at the emotional fortitude of the UJC because she was rolled into the room in a wheelchair having been diagnosed recently with Multiple Sclerosis. Two nights in a row, the UJC heard two different cases of students who potentially would be suspended under the new policy. Two nights in a row, the accused students had a parent speak on their behalf, both of which spoke about the diligence the student took in providing some type of family care. Both nights the UJC collectively grumbled about how the new policy "handcuffed" them into making decisions that they may not have thought was best for both the student and UM.

At one point in making decisions about a second strike, several members of the UJC wanted to "tell the administration we are not doing this." There was discussion about suspending the student per the policy and then "suspending the suspension indefinitely" (Council Member, personal communication, March 1, 2007). The frustration of being "handcuffed" to decisions

welled up and overflowed as anger, frustration, and confusion about their obligations as UJC members and to the UM community. This prompted the UJC to write a letter to Chancellor Khayat requesting the Two-Strike policy be abandoned. In its letter to Chancellor Khayat, the UJC wrote, “Though on paper, the policy seems to have covered all possible steps and required sanctions, it fails to address what we as a Judicial body must deal with in each case—a human element” (M. Hitt, personal communication, March 23, 2007). Essentially, it was the judicial latitude regarding decisions about sanctions that caused the UJC’s frustration. Chancellor Khayat’s response noted the alcohol-related deaths near campus and the need for strong policy. Additionally, he spoke of the challenges with any new policy and an understanding of “the Council’s frustration with the limitation on its discretion” (R. Khayat, personal communication, April 4, 2007). The Chancellor concluded his letter by stating:

While a review of the underlying rules subject to Two-Strike and their application is in order, at this time I am not prepared to change its fundamental tenets. Please, let’s keep this dialogue open as the Council and our community gain more experience with Two-Strike. (R. Khayat, personal communication, April 4, 2007)

Though the request by the UJC to reconsider the Two-Strike was declined, the frustration subsided with several months of lapsed time following the first couple of hearings related to alcohol and other drugs. (For Chancellor Khayat’s response to the UJC, see Appendix VI)

In April 2007, the University of Mississippi amended its policy on alcohol to allow for the lawful possession and consumption on campus. As presented in Chapter VI, the change was controversial because it came on the heels of the tragic death of Robert Langley. Additionally, the members of the Alcohol Task Force were somewhat split on the issue. The sentiment of members of the Alcohol Task Force closely resembled that of the LOU community. There were

some who thought the policy change was a way to reduce hypocrisy and better educate students on the dangers of abusive drinking. Still others thought that allowing for alcohol on a campus perceived to be engrossed in a culture of alcohol was “going backwards.”

In addition to there being mixed thoughts about the best way to proceed, there also was confusion regarding the change in policy. For those close to the situation, the policy change was very simple. It followed the law and additionally prohibited abusive drinking such as drinking games and rapid consumption devices. To those on the outside, the policy was very confusing because the perception was that the policy itself prohibited beer and allowed liquor. As presented in Chapter IV, Lafayette County has been dry for beer since 1944 but wet for liquor since 1966. Most of campus lies within Lafayette County and when on those parts of campus one must abide by Lafayette County law. The confusion was not helped by an article written in *The Daily Mississippian* the day after the change in policy was announced. The front page headlines read, “Alcohol policy puzzles some students” (Hiatt, 2007).

For any change in policy to be successful, clarity is a key ingredient. An unfortunate issue for the University of Mississippi was that clarity was lost in local laws and editorial privilege. In addition to clarity, another ingredient for successful policy implementation is buy-in from those involved. As a result of the 24 qualitative interviews conducted for this study, the findings indicate there are those who still have not bought in to the changes made to the policy on alcohol or at least do not agree with the changes made. To that end, one member of the Alcohol Task Force said, “You have to make sure that everybody involved in the implementation and enforcement of policies is on the same page. We were at a disadvantage at the time because we had a police chief who never bought into the policy.” Though the view expressed by the

member of the Alcohol Task Force may be perception, there is one documented incident of UM law enforcement not buying into the policy.

As fall semester began in 2007, Welcome Week ended with a free concert in the Grove. On Saturday night August 25, Ingram Hill performed on the Grove stage to attendees sitting in lawn chairs and on blankets on the ground with coolers of food and beverages. *The Daily Mississippian* reported the following Monday that numerous students were required to pour out bottles of alcohol that were being possessed and consumed legally (Crum, 2007; Gibbons, 2007; Summerson, 2007). One editorial headline read, “Lack of communication is real culprit” (2007) and called for UM to do a better job of informing everyone about the new policy. As a result of the citations presented and legal alcohol poured out, one UM spokesperson said, “UPD does have the right to interfere with alcohol consumption if the consumers are not of legal age or displaying drunkenness. If they are 21-years old and discreet and behaving themselves, then (drinking alcohol in the Grove) is permissible” (Crum, 2007).

Much effort was made in clarifying UM’s policies to all students, faculty, and staff. Additionally, an alcohol session was added to the Orientation schedule in the summer of 2007. The additional effort was to meet a commitment to inform both students and parents about UM’s policies and expectations regarding alcohol. The alcohol session’s message has been consistent and it was found the sessions are generally well received by those in attendance (W. Smith, personal communication, June 21, 2012).

As a result of the Alcohol Task Force, several proactive measures were implemented. One of those was the creation of the Office of Health Promotions. The Office of Health Promotions was tasked with administering alcohol and other drug education programs at UM. Another proactive measure was put in place to not only educate students about the dangers of



alcohol and other drugs but also educate students about UM's alcohol and other drugs policies. The online software program called AlcoholEdu is a requirement for all incoming students at the University of Mississippi. The program was first utilized during the summer and fall of 2007 and continues to be the educational program of choice for the University of Mississippi. The program not only provides an educational benefit to students but also provides UM with valuable data regarding the drinking habits of incoming freshmen and how the data compares to other institutions across the nation.

The information presented in this section was included to provide perspective to decision makers about the educational efforts of UM regarding alcohol and other drug policies. Additionally, this section provided information about the potential challenges that institutions could face if similar decisions are made to policy and practice.

### *Quantitative Conclusions*

Anytime changes are made to policy or practice, there are those interested to know if the change is "working." The changes made during the 2006-2007 academic year were made in an effort to reduce the instances of illegal and abusive use of alcohol and other drugs. One of the ways to determine effectiveness of policy is to analyze the available quantitative data. The quantitative data available for research and the results of statistical analyses were presented in Chapter V. This section intends to further analyze the statistical results of the quantitative data presented for this mixed methods study. The data presented in Chapter V and the resulting summary presented in this chapter help to answer the following research question: "What impact has the Two-Strike policy had on the "culture of alcohol" at the University of Mississippi?"

### *Summary of Quantitative Procedures*

The data, first presented as whole numbers, was analyzed further for the study. The data for each academic year was compared to enrolment data at the University of Mississippi to derive the proportions of alcohol and other drug violations. The proportions then were compared using Z-Tests to determine if significant changes in alcohol and other drug violations occurred over time.

Even though the main focus of this study is alcohol, the Two-Strike policy also applies to other drug violations. To provide a comprehensive perspective and more adequately fulfill the purpose of the study, the data regarding other drug violations were included. The statistical tests utilized and presented in Chapter V analyzed the data using three perspectives. The first perspective analyzed the data using the proportion of violations for both alcohol and other drugs. The second perspective analyzed the data using only alcohol violations and the third perspective analyzed the data using only other drug violations.

### *Summary of the Quantitative Findings*

For violations including both alcohol and other drugs, the results of the statistical analysis indicated a significant difference in the proportion of alcohol and other drug violations between the 2004-2005 and 2010-2011 academic years. Over the six-year period, the data indicated a reduction in the proportion of alcohol and other drug violations. Though the data indicated a reduction over the six-year period, the lowest proportion of alcohol and other drug violations was found in the 2008-2009 academic year. Since that year, the proportion of alcohol and other drug violations has steadily increased. The results indicated that there was both a significant difference and therefore a significant increase in the proportion of alcohol and other drug violations between the 2008-2009 and 2010-2011 academic years.

Further analyzing the information, I found it helpful to break apart the alcohol and other drug data into two separate categories: one for alcohol and one for other drugs. Using the data provided for only alcohol violations, the test indicated a significant change in the proportions of violations between the 2004-2005 and 2010-2011 academic years. The test results indicated also that there was a significant reduction in the number of alcohol violations over the six-year period. Similar to the data for alcohol and other drugs, the 2008-2009 academic year yielded the lowest proportion of alcohol-only violations. Each academic year after the 2008-2009 academic year the proportion of alcohol violations increased. Using the data for the 2008-2009 and 2010-2011 academic years the results of the Z-Test indicated that there was not enough evidence to find that either a significant difference or a significant increase existed.

The data and tests results pertaining only to other drug violations indicated there was an increase in the proportion of other drug violations between the 2004-2005 academic year and the 2010-2011 academic year. The resulting Z-Score indicated that there was not a significant difference but there was a statistically significant increase in the proportion of other drug violations between the intervening six years.

Though there was an increase in the proportion of other drug violations over time, the data indicated that a reduction in the proportion of other drug violations was experienced after the first couple of years implementing the Two-Strike policy. As was found with both the data concerning alcohol and other drugs and only alcohol violations, the smallest proportion of other drug violations occurred during the 2008-2009 academic year. Since that time the proportion of other drug violations increased. The final test presented in Chapter V found a significant difference--and therefore a significant increase--between the proportion of other drug violations in the 2008-2009 and 2010-2011 academic years.

If interpreting the Two-Strike policy's effectiveness using only the quantitative data and with a viewpoint that stringent policy results in reduced violations, the policy's usefulness should be reflected in the results of the quantitative analyses. From an aggregate viewpoint, the instances of alcohol and other drug violations were reduced after the implementation of the Two-Strike policy. This is consistent with the research of Harris, Sherritt, Van Hook, Wechsler and Knight (2010) showing that strict enforcement policy does reduce college drinking. But taking a closer look at the data and results of statistical testing, there is an indication about the future. The proportion of alcohol and other drug violations has increased each year since 2008-2009 and therefore an argument could be made that the Two-Strike policy alone does not reduce the proportion of alcohol and other drug violations.

#### *Qualitative Data Conclusions*

The themes and subthemes that emerged as a result of the 24 qualitative interviews revealed much about the implementation and progression of the alcohol policies at UM. The data in Chapter VI was presented using a funneling method by presenting the themes more broadly focused first and then guiding the reader to themes more closely related to the purpose of the study (Kvale, 2007). The summaries of the quantitative data presented in this chapter and the qualitative data presented here help to answer the following two research questions: "Which considerations, if any, were addressed and what considerations should have been addressed prior to making changes to or implementing new alcohol policies at the University of Mississippi?"; and "What impact has the Two-Strike policy had on the 'culture of alcohol' at the University of Mississippi?"

The study found that the problems associated with alcohol are not unique to the University of Mississippi. Consistent with other research findings, the problems associated with

college drinking are more broadly based and are issues at numerous colleges and universities across the nation (College Drinking, 2005; Cross & Slater, 2004b; U.S. Department of Health and Human Services, 2007). Though the findings indicated that the University of Mississippi is not unique in terms of college drinking, what is unique to the University of Mississippi and Oxford is the small geographical areas where drinking occurs. With drinking occurring in very concentrated areas, the perception that drinking is heavier at UM and in Oxford may be skewed. Furthermore, the resulting perception about the drinking atmosphere lead to increased publicity and some of the students interviewed indicated that the perception about the drinking atmosphere led to a self fulfilling prophecy. The finding was similar to the research completed by Oster-Aaland and Neighbors (2007) regarding students' perception about the number of drinks consumed at an area reserved for tailgating. Oster-Aaland and Neighbors found that the perception about the number of drinks consumed in a tailgating area designated for alcohol consumption was higher than the actual number of drinks consumed. It is the perception about what is normal that often justifies behavior.

Narrowing the focus of the study, the qualitative interviews provided information about the opportunities and the problems associated with implementing new policies. Valuable information was gathered on both fronts. Hindsight is usually 20/20 and reflecting on other alternatives to the Two-Strike policy one person interviewed said, "Well, the most dangerous [decision] would have been to do nothing. And I don't know that we had any other options." For the Two-Strike policy, the study found several benefits. One of the benefits of the minimum sanctions policy is that it created clear-cut guidelines for students and conduct officers alike. Another benefit was derived from the policy's common name, Two-Strike. The data indicated the Two-Strike policy found its way into the "University lexicon" and most students understood

some form of the Two-Strike policy. This phenomenon is beneficial to UM because the available research on students' awareness about alcohol policies indicate that students who are more familiar with alcohol policies are less likely to binge drink (Rhodes, Singleton, McMillan, & Perrino, 2005).

As for the opportunities realized in changing UM's policy from a dry campus to one that allows the lawful possession of alcohol, the benefits were tailored more to the situation in which UM found itself. The term *hypocrisy* emerged in the transcripts numerous times and ultimately an opportunity was seized that allowed for cleaner implementation of policy and correction of hypocrisy. Additionally, the data showed that decisions made because of hypocrisy were intended to help keep law enforcement from encountering difficult situations.

Alternatively, some of the problems associated with changing UM's policy on alcohol from one of strict prohibition to one that follows the law were that members of UPD expressed decisive concern and thought that the alcohol issue was not better but worse since the change was made in April 2007. Another problem addressed in Chapter VI was the confusion created by two Lafayette County laws. One law prohibits beer but the other law allows for the lawful possession and consumption of liquor. To reduce confusion, it would be helpful for beer to be lawful again in Lafayette County. For this to happen, a petition listing the signatures of at least 20 percent of the qualified voters in Lafayette County is needed. Once the petition is submitted, a County-wide referendum would be scheduled and advertised accordingly.

In terms of the Two-Strike policy, I found most of the problems to be logistical in nature. There were issues like how long probationary periods last, when periods of suspension begin, and hearing cases in a consistent and timely manner. But the one issue that was mentioned multiple times is the thought that the Two-Strike policy alone does not deter illegal and abusive

drinking. The idea that the Two-Strike policy alone does not deter instances of drinking is consistent with some of the quantitative findings presented in this chapter and in Chapter V.

The final two qualitative themes identified were Education and Collaboration. To some extent the two are related, but, in its basic form, the theme Education emerged as ways to best educate students not only on the dangers of abusive drinking but also on the expectations outlined by UM policies. As one community member of the Alcohol Task Force said regarding suggestions for the future, “Well I would just stress all the education that y'all can get away with.”

The study found that the current educational initiative, Alcohol Edu, was criticized by those to whom the education is directed. It was the students who said that Alcohol Edu was not an effective educational tool. Suggestions from those same students yielded similar answers in that students listen to other students or those closer in age. In 2004, Drew Hunter published an article proclaiming the advantages of peer education in the areas of alcohol and drug use. Similarly, students were advocates of peer to peer education. The students interviewed thought it was the type of education most beneficial in teaching about the dangers of abusive drinking and how policy and practice affects them individually.

In November 2006, a comprehensive alcohol task force was organized and it included not only UM faculty, staff, and students, but also City of Oxford leaders, and various community members. The effort was seen as a collaborative effort to reduce the instances of illegal and abusive drinking. It became apparent through the 24 qualitative interviews that there is a disconnection between many of the units with daily responsibilities in helping to minimize a dangerous culture of alcohol. The stake-holders blamed other units for not cooperating and sometimes had drastically different views and inaccurate information. City of Oxford stake

holders blamed the alcohol problems on UM for pushing students off campus and UM stake holders blamed Oxford for the increasing number of beer and liquor permits on the Oxford Square. Though blame was placed and inaccurate information was given as fact during several of the interviews, there also emerged a strong desire by all parties, both on campus and off campus, for consistency and collaboration.

### *Implications for Further Research*

This mixed methods study was intended to provide a comprehensive analysis of the alcohol policies at the University of Mississippi. The Two-Strike policy was implemented in November 2006 to help reduce the number of instances of illegal and abusive drinking. The quantitative data presented in Chapter V indicated that the proportion of alcohol and other drug violations decreased significantly the first two years after the implementation of the Two-Strike policy. Since that time there has been a statistically significant increase. Further research is needed to determine why the number of alcohol and other drug violations at UM initially decreased but have steadily increased since the 2008-2009 academic year. Possible reasons include changes in policing such as turnover in law enforcement officers and chief of police, changes to residence hall directors and resident assistants. Another possibility is the level of success of athletics teams or the fading memory of alcohol and drug related tragedy. For further quantitative analyses, it may be beneficial to view the number of violations in terms of where the incidents occurred on campus. Regardless, answering the question about why the violations initially decreased after the policy was implemented but have slowly increased in recent years would be very helpful to decision makers for finding ways to reduce illegal and abusive drinking.



### *Conclusions and Final Thoughts*

The purpose of this study was to provide an analysis of the current alcohol policies at the University of Mississippi, including both the policy on alcohol and the Minimum Sanctions for Alcohol and Other drugs policy. To effectively analyze UM's Two-Strike policy, I used both quantitative and qualitative results. Using the quantitative results presented in Chapter V and summarized in this chapter, one could make the argument that the Two-Strike policy is effective. The argument is based on the statistical tests showing there was a significant decrease in the number of alcohol and other drug violations after the implantation of the Two-Strike policy.

Alternatively, an argument could be made that the policy is not effective and does little to deter illegal and abusive drinking. Several statistical tests indicated the proportions of violations have decreased over time but additional tests of the more recent data indicated a trend that increased significantly.

Consistent with the quantitative data analyses, the qualitative data results indicated that the Two-Strike policy itself is not a deterrent to illegal and abusive drinking. One of the praises of the Two-Strike policy is its ability to make individuals aware of UM's expectations for appropriate behavior. It was cited multiple times that "Two-Strike" had entered the vernacular of students, faculty and staff. In terms of awareness, the qualitative data indicated a desire for knowledge and understanding about the number of alcohol and other drug violations. One of the findings from the qualitative research of this study was UM should actively present and share statistical data and other information regarding the number of alcohol and other drug violations. Actively presenting the information could increase students' awareness, and garner rapport with stakeholders both inside and outside of UM.

The research found that collaboration and buy-in were the most important factors of successfully implementing policy and practice (Lavigne, Witt, Wood, Laforge, & Dejonge, 2008). The numerous instances of inaccurate information and the various perceptions of those interviewed indicated a need for further collaboration and the sharing of information for the alcohol policies at UM to be most effective. All parties involved must listen actively and be open and willing to move to a common ground. The need for collaboration is vital for success and progression regarding the alcohol policies at UM.

For further success regarding the alcohol policies at UM, leaders of Oxford and Lafayette County and decision makers at UM should reconvene the Alcohol Task Force or form another task force on alcohol to create further dialogue about the issues. According to the findings for this study, there is a desire for collaboration among the stakeholders in the LOU community. Therefore, any committee formed or reconvened should include individuals from UM, including students, as well as leaders from the City of Oxford and Lafayette County and members of those communities. A committee such as this, meeting periodically, would provide an avenue for information sharing and create increased awareness among everyone in the LOU area.

For other institutions of higher learning to be successful implementing policies similar to those at UM, information sharing and collaboration is the most crucial piece to successful policy implementation (Lavigne, Witt, Wood, Laforge, & Dejonge, 2008). Continued dialogue and the transfer of accurate information is needed to garner rapport, support, and buy-in from important stakeholders. It is important also to reconvene periodically the policy committee to discuss challenges and ways to progress most efficiently and effectively. Finally, as presented in this chapter, challenges most likely will emerge after implementing policies similar to those

discussed in this study. For institutions to most effectively navigate the challenges presented, collaboration with all stakeholders and continued dialogue is needed to help decision makers most effectively progress towards achieving the common goal.

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## APPENDICES

## Appendix I

September 21, 2011

Scott Wallace  
The University of Mississippi  
136 Yocona Ridge Rd.  
Oxford, MS 38655  
swallace@olemiss.edu

Dear John:

Thank you for your interest in my research study. As you are probably aware, I am a graduate student at the University of Mississippi working towards a doctorate in Higher Education. Your participation will help me successfully complete the obligations for my dissertation.

This study will consist of an individual interview lasting no more than two hours. You will be asked several questions regarding the alcohol policies at the University of Mississippi or questions related to a specific historical event(s). You are encouraged to share freely your thoughts and feelings to each question responding honestly and candidly. Upon completion of the interview, additional follow-up questions may be needed. Please know that every effort will be made to ensure anonymity unless written consent is granted by you, the participant, to reveal your name.

Your involvement in the study is completely voluntary and you may withdraw consent or terminate your participation at any time. Should you have additional questions please feel free to contact me at the above listed mailing and electronic mailing addresses or call me at 662-915-2025(w) 662-801-4086(c).

Thank you for your willingness to participate in the study. I look forward to working with you.

Sincerely,

Scott Wallace  
Doctoral Candidate  
The University of Mississippi

**This study has been reviewed by The University of Mississippi's Institutional Review Board (IRB). The IRB has determined that this study fulfills the human research subject protections obligations required by state and federal law and University policies. If you have any questions, concerns, or reports regarding your rights as a participant of research, please contact the IRB at (662) 915-7482**

## Appendix II

## **Consent to Participate in a Qualitative Study**

**Title:** Alcohol and the University of Mississippi

### **Investigator**

Scott T. Wallace  
136 Yocona Ridge Rd.  
Oxford, MS 38655  
662-801-4086

### **Sponsor**

Lori A. Wolff Ph.D., J.D.  
Dept. of Leadership and Counselor Education  
139 Guyton Hall  
University, MS 38677  
662-915-5791

### **Description**

The purpose of this study is to provide an analysis of the current alcohol policies at the University of Mississippi including both the University's policy on alcohol and the Minimum Sanctions for Alcohol and Other Drugs policy.

To gain a better understanding of the alcohol policies at the University of Mississippi, the study will first look at the issue from an historical perspective by gaining insight from archival data and interviews of current and former students, faculty, staff, and community members. Additionally, this study will employ both qualitative and quantitative data interpretation to provide an objective analysis of the current alcohol policies at the University of Mississippi.

To adequately provide this information, I am asking you to take part in an individual interview lasting no more than two hours. You will be asked questions regarding the alcohol policies at the University of Mississippi or questions related to a specific historical event(s). You are encouraged to share freely your thoughts and feelings to each question responding honestly and candidly.

### **Risks and Benefits**

You may feel uncomfortable or unsure about whether or not information requested by the interviewer is public knowledge and that which can be published in a dissertation. You may feel uncomfortable recounting past events that may appear adverse to who you are, your personal beliefs, and/or your personal character. You also may feel compelled to provide information about a time when you may have broken one or more laws or policies. I do not think there are any other risks.

I will talk with you about the study and provide all details into my inquiry with the hope that you will enthusiastically participate in this interview.

### **Cost and Payments**

The individual interview will take no more than two hours and there are no other costs for helping with the study.

### **Confidentiality**

Every effort will be made to ensure anonymity unless you provide written permission to allow your name to be revealed.

**Right to Withdraw**

You do not have to take part in this study. Participation is entirely voluntary and both the interview participant and interviewer may stop an interview at any time for any reason. If you agree to take part in the study and decide that you do not want to finish, all you have to do is tell Scott Wallace by note or letter, by telephone at 662-801-4086, by email at [swallace@olemiss.edu](mailto:swallace@olemiss.edu), or verbally at any time.

**IRB Approval**

This study has been reviewed by the University of Mississippi's Institutional Review Board (IRB). The IRB has determined that this study fulfills the human research subject protections obligations required by state and federal law and University policies. If you have any questions, concerns, or reports regarding your rights as a participant of research, please contact the IRB at (662) 915-7482.

**Statement of Consent**

I have read the above information. I have been given a copy of this form. I have had an opportunity to ask questions, and I have received answers. I consent to participate in the study.

---

---

Signature of Participant

Date

---

---

Signature of Investigator

Date



### Appendix III

## Original Language of Two-Strike Policy

### Interim Policy on Alcohol and Other Drug Minimum Sanctions

**Summary/Purpose:** To set forth minimum sanctions for students found in violation of any alcohol or drug related offense.

**Minimum Sanctions for Alcohol and other Drug Violations** All students found in violation of University policy, through the University of Mississippi's judicial process, for an alcohol and other drug related offense will receive:

**First offense** — Required alcohol/drug education program, related fines, community service and probation for the remainder of current semester and for the next two semesters (Fall or Spring) enrolled at the University. Probation extends through any intervening summer terms, inter-sessions, and/or any institutional breaks.

**Second offense while on probation** — Suspension from institution. The University Judicial Council may elect for the suspension to take effect immediately or to take effect upon completion of the current semester or term. The student shall be suspended for at least one complete Fall or Spring semester following the suspension's effective date, including any intervening summer terms or inter-sessions.

Because suspension is a mandatory sanction for a second offense, the judicial process shall automatically proceed to a hearing by the University Judicial Council, and this sanction is not appealable. These are minimum sanctions. The findings of fact, aggravating circumstances, and prior record of the student will be factors considered when determining any appropriate additional sanctions on either the first or second offense.

Students who are suspended from the University for any length of time should be aware that this action may impact the following:

- grades and academic performance
- tuition, residence hall costs and fees (suspension does not forgive financial obligations)
- student financial aid
- athletics participation and eligibility
- health insurance (contact your personal health care provider)
- University housing
- meal plan
- use of University resources and access to University facilities
- immigration status for international students
- veterans and dependents of veterans
- internships, assistantships, and study abroad

This is not a complete list and does not include all potential consequences for suspension. The University of Mississippi

**Off-campus conduct** – The University may bring a charge under this policy against any student who commits any alcohol or drug-related crime that is otherwise sanctionable under the University’s judicial policy regarding Off-Campus Conduct, Policy Code DSL.SJ.600.008. Such crimes include but are not limited to any drug-related offense and driving under the influence of drugs or alcohol.

If the University brings a charge against a student based upon the student’s criminal conviction by any trial court of competent jurisdiction, the criminal conviction may be accepted as a final factual determination that the student has violated applicable University policy, and the sole function of the University’s judicial process will be to determine the appropriate University sanction under this and other University policies.

## Appendix IV

## Language of Two-Strike Policy as of July 1, 2012

### Two Strike Policy – Minimum Sanctions for Alcohol and Other Drug Violations

**Summary/Purpose:** To set forth minimum sanctions for students and recognized student organizations found in violation of any alcohol or drug related policy.

#### **Minimum Sanctions for Alcohol and other Drug Violations**

Any student or student organization found in violation, through the University's conduct process, of a University policy concerning or involving the use of alcohol or other drugs will receive the following minimum sanctions:

**Student's or student organization's first offense** – Required alcohol/drug education program and related fees or fines, community service, and probation for the remainder of current semester and the following two semesters (Fall or Spring) enrolled at the University. Probation extends through any intervening summer terms, inter-sessions, and/or any institutional breaks.

**Student's second offense while on probation** – Suspension from institution. The University Judicial Council may elect for the suspension to take effect immediately or to take effect upon completion of the current semester or term. The student shall be suspended for at least one complete Fall or Spring semester following the suspension's effective date, including any intervening summer terms or inter-sessions.

**Student organization's second offense while on probation** – Suspension of organization's social activities to take effect immediately and to remain in effect for at least one complete Fall or Spring semester following the suspension's effective date, including Summer terms or inter-sessions.

Because suspension is a mandatory sanction for a second offense, the conduct process shall automatically proceed to a hearing by the University Judicial Council, and this sanction is not appealable. These are minimum sanctions. The findings of fact, aggravating circumstances, and prior record of the student or student organization will be factors considered when determining any appropriate additional sanctions on either the first or second offense.

Students who are suspended from the University should be aware that this action may impact the following:

- grades and academic performance
- tuition, residence hall costs and fees (suspension does not forgive financial obligations)
- student financial aid
- athletics participation and eligibility
- health insurance (contact your personal health care provider)
- University housing

- meal plan
- use of University resources and access to University facilities
- immigration status for international students
- veterans and dependents of veterans
- internships, assistantships, and study abroad

This is not a complete list and does not include all potential consequences for suspension.

**Off-campus conduct** – The University may bring a charge under this policy against any student or student organization committing any alcohol or drug-related offense that is otherwise sanctionable under the University’s conduct policy describing the authority and jurisdiction of the University’s conduct system. For students, such offenses include but are not limited to any drug-related crime and driving under the influence of drugs or alcohol occurring within Lafayette County.

If the University brings a charge against a student based upon the student’s criminal conviction by any trial court of competent jurisdiction or other court proceeding that includes an admission or finding of guilt, the admission or finding may be accepted as a final factual determination that the student has violated applicable University policy, and the sole function of the University’s conduct process will be to determine the appropriate University sanction under this and other University policies.

## Appendix V

**The University of Mississippi  
Two-Strike Probation  
Acknowledgement Form**

I \_\_\_\_\_ understand I have been found responsible for an offense involving alcohol and/or other drugs. As a result, and in accordance with University policy DSA.DS.300.007, I understand that I am on disciplinary probation for a period beginning immediately and ending

\_\_\_\_\_.

I also understand if during this probationary period another incident occurs involving alcohol and/or other drugs and I am found in violation of a related University Policy I will be suspended from The University of Mississippi for at least one full semester. I further understand that if I am found in violation of any University rules or policies in the future, this offense may be considered an aggravating factor in determining an appropriate University sanction.

I acknowledge I have read and understand university policy DSA.DS.300.007 which explains the minimum sanctions for incidents involving alcohol or other drugs.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_.

Hearing Officer: \_\_\_\_\_ Date \_\_\_\_\_.



## Appendix VI



*The*  
**University of Mississippi**

Oxford • Jackson • Tupelo • Southaven

Office of the Chancellor  
Post Office Box 1848  
University, MS 38677-1848  
(662) 915-7111  
Fax: (662) 915-5935  
E-mail: [chancellor@olemiss.edu](mailto:chancellor@olemiss.edu)

April 4, 2007

Miss Marty M. Hitt  
Mr. John B. Reising  
University Judicial Council  
P.O. Box 96  
University, MS 38677

Re: Two-Strike Policy

Dear Marty and Bart:

Thank you for your thoughtful letter and critique of the Two-Strike Policy. Your letter raises important issues that must be carefully considered. To that end, I have forwarded your letter to our Student Life professionals for their consideration and review. While their review may lead to additional responsive actions, I would like to address, in part, your concerns.

At the outset, let me review the circumstances that have led to the enactment of "Two-Strike." Illegal and abusive drinking is epidemic in college communities across the country, including our own, with tremendous and often tragic consequences.

In the last few years, three members of our community have died on roads immediately adjoining our campus at the hands of students who had been abusing drugs or alcohol. These three deaths within a stone's throw of our campus are not the only alcohol-related tragedies we have suffered. I do not know and cannot count the number of students over the last few years who have been injured or killed or who have injured others as a direct result of alcohol or drug abuse.

These are the most pronounced, but not the only, costs to our community of alcohol abuse. Alcohol abuse adversely affects our classrooms and our students' performances in them. According to surveys conducted in recent years, our students report binge drinking in greater numbers than national averages. Not surprisingly, they also report higher incidences of alcohol-related problems, like missing classes, poor test performances, driving under the influence, arrests, injuries, and the like. Although these problems are not new and are not unique to us, we must address them.

*A Great American Public University*  
[www.olemiss.edu](http://www.olemiss.edu)

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We have long recognized these costs and struggled to combat alcohol and drug abuse. A few years ago we hired a full-time alcohol educator. Our student judicial system and local law enforcement have consistently punished illegal behavior. This year's Alcohol Task Force was the third formed in recent years. Although our efforts have been substantial, they have not been enough.

So we are re-thinking everything. We are re-doubling our efforts to do what a university does best – educate: we are creating a health promotion office, and we will require mandatory alcohol education for incoming students. We are working closely with the City of Oxford to consider effective strategies to combat alcohol abuse. But we are also re-working our policies so that they are practical and enforceable, with clear sanctions that are easy to understand. That is where Two-Strike comes-in. Two-Strike is but one policy change as a part of an overall strategy to help our students make smart, healthy choices.

With any new policy, implementation forces to the surface issues that were not wholly appreciated or anticipated in the policy's adoption. The Two-Strike Policy is no exception. Many of the issues you have identified are to be expected as we work through the early implementation of Two Strike. We must constantly work to improve our policies and practices, especially in the area of student health and safety. It is in that spirit that I have reviewed your letter and considered your comments.

I agree that we must carefully review the sorts of conduct that may be considered an alcohol violation to assure that minimum sanctions are not disproportionate or unfair. We must also work hard to educate our students to assure they understand the consequences of their choices.

To that end, I have asked our Student Life professionals to review Housing and other campus policies, the violation of which may be subject to Two-Strike. As a part of that review, I have asked Dean of Students Sparky Reardon and Director of Student Housing Lorinda Krhut to consider how those policies are interpreted and enforced (e.g., implied consent in housing). Finally, I have asked our team to assure that we provide appropriate notice to our students of the behavior expected of them and the potential campus consequences of alcohol or drug abuse.

I understand the Council's frustration with the limitation on its discretion. But discretion can be the enemy of clear consequences, deterrence, and fair notice. The consequences meted out in the past have either been too lenient or too uncertain to deter misconduct and encourage smart choices. Two-Strike has the great benefit of being clear, and it has gotten our students' attention. Although we are only a few months into this new policy, the preliminary data suggest that Two Strike is deterring alcohol abuse.

I also understand and agree that the student judicial system is not primarily punitive or designed to take the place of the criminal system; rather, its principal functions are to educate our students and to protect our community. This is why Two Strike allows the Council to impose suspension

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immediately for a second strike, with the accompanying punitive consequences, or to elect for the suspension to begin at the end of the semester, so that the suspension is more educational and rehabilitative. The idea here is that if a student has had two violations of University alcohol or drug policies within a two semester period, these judicial encounters probably point to a larger problem with potentially devastating consequences. In this context, a suspension that takes effect at the end of the term is not punitive, but an alarm bell sounding a warning to an affected student and his family. It is an opportunity to confront a problem before it has destroyed a young person's academic career or worse. This sort of suspension is not a black mark on the student's academic record, but a pastoral pause in an academic career.

While a review of the underlying rules subject to Two-Strike and their application is in order, at this time I am not prepared to change its fundamental tenets. Please, let's keep this dialogue open as the Council and our community gain more experience with Two Strike.

Thank you again for your thoughtful comments and for your service to the University.

Sincerely,



Robert C. Khayat  
Chancellor

cc: Mrs. Lorinda S. Khut (w/encl.)  
Dr. Thomas J. Reardon (w/encl.)  
Dr. Larry D. Ridgeway (w/encl.)  
Dr. John P. Juergens (w/encl.)  
Mr. L. Lee Tyner, Jr. (w/encl.)

## VITA

Scott Thomas Wallace was born at Clarksville, Tennessee, on December 19, 1980. He graduated from the University of Tennessee at Martin in May 2003 where he majored in business management and played college golf at the Division I level. He earned his Master of Arts in Higher Education degree from the University of Mississippi in 2005.

Wallace began his career in higher education as a graduate assistant working in the Department of Financial Aid at the University of Mississippi. His first full-time professional position began in September 2005 as Interim Associate Dean of Students at the University of Mississippi. He currently holds the title Assistant Dean of Students for Judicial Affairs at the University of Mississippi. His main job responsibility is student conduct, but he has worked closely with other areas of Student Affairs including student organizations and Greek life, volunteer services, parking and traffic appeals, and policy development. Additionally, he has taught, since 2006, a freshman year experience course at the University of Mississippi and co-advises the national freshman honor society, Phi Eta Sigma. Wallace lives in Oxford, Mississippi with his wife, April, and son, Reed Thomas.